



The Last Centurion ObamaCare and the Catholic Health Care Dilemma

In the 1972 movie, *The New Centurions*, based on the novel by Joseph Wambaugh, Stacy Keach played a rookie policeman who quickly came to realize that being a Los Angeles policeman was comparable to the Roman centurions who were the last line of defense against the barbarian hordes threatening their empire. Arguably the Catholic Hospital system is rapidly becoming the *Last Centurion*, as it struggles to maintain its moral principles in the face of an encroaching secular culture of death.

A Growing Dependency

This burgeoning crisis brings to mind Russian writer Igor Shafarevich's provocative essay, *Socialism in Our Past and Future*, where he underscores Marxism's determination to destroy its tripartite targets, namely, the Church, the family and private property. The Catholic Hospital System is closely linked to all three targets. This battered system finds itself in the gun sights of an aggressive Marxist presidency that plans to drive the Christian influence into oblivion.

Catholic medical care dates back to the time of Christ when Jesus healed the sick and cured the blind, and Jesus charged His Apostles to continue in His spiritual and physical ministry. The Church instituted the sacrament of Extreme Unction, not only for the spiritual benefit of the sick but also for the restoration of their bodily health. Like the other works of Christian charity, the care of the sick became a central feature in Christian faith.

The first Christian hospitals began in Asia Minor in the 6th century before spreading to Western Europe. The first of these appeared at Siena, Italy toward the end of the 9th century. The Crusades gave rise to several fraternal orders of chivalry, which combined military service with the care of the sick.

The first hospital in the United States was erected on Manhattan Island around 1663 for the care of ill soldiers who had been previously billeted with private families. By the end of the 18th century hospitals permeated the American landscape. The first hospital established by private beneficence was the Charity Hospital at New Orleans, operated by three Sisters of Charity. In New York City, St. Vincent's Hospital was opened in 1849. It closed its doors last year.

By 2002, of the country's nearly 5,000 hospitals, which employ more than 600,000 people, the Catholic Health Care systems had expanded to over 625 hospitals, 1,796 continuing care ministries including nursing facilities, home and hospice care. With combined revenue of \$30 billion, Catholic Health Care had grown into an enormous entity in a \$1.54 trillion dollar a year industry. In 2008, the cost of running these hospitals had risen to \$84.6 billion. With its growing dependency on a stream of federal money the system's moral and religious underpinnings became endangered.

A Loud Alarm

On March 22, 2010 President Obama signed the infamous *Affordable Care Act* into law. In just a few short months the public reacted vehemently to his usurpation of one-sixth of America's economy. In addition, the mammoth 2300-page bill was filled with extensions of federal intrusions into the private sector that could only have dire consequences for the American people. According to *The Wall Street Journal*, its unpopular specifics included 2011 large premium increases, multibillion-dollar corporate write downs by Verizon, AT&T, Caterpillar and others, the disruption of insurance markets, the imposition of price controls on premiums, the forced purchase of IRS-approved policies and insurers fleeing from Medicare Advantage. Contrary to the president's loud boasts, people started losing their medical coverage almost immediately.

ObamaCare, with its hidden push for universal access, sounded a loud alarm for religious-based hospitals, especially the Catholic system, which now fear that federal control of the healthcare system will eventually erode their Christian principles. They know that once the federal government takes over the system ObamaCare will require their hospitals to perform abortions and other proscribed surgeries and treatments under the rubric of women's *reproductive health care*. Thousands of religious facilities will either ignore their moral teachings or shut their doors.

Obama's Abortion Care

The oxymoronic *AbortionCare* is the 800-pound elephant hiding beneath the subtext of the health care debate. Church leaders have recognized that two of their salient principles on human life are gradually being squeezed between

the walls of a federal vise. On the one hand the Bishops believe in the absolute sanctity of human life from conception to natural death. For decades Catholic Bishops have advocated a universal health care system that included legitimate health care reform, respect for human life and dignity at reasonable cost.

The 2004 Freedom of Choice Act (FOCA) set the stage for the coming battle over ObamaCare. The language in FOCA was so extreme it undermined state *conscience laws*, which protected hospitals and medical professionals from having to perform procedures that violated their consciences. Obama exposed his intentions with his 2007 promise to Planned Parenthood that *the first thing I'd do as President is sign the Freedom of Choice Act*. Since the Catholic hospitals are so indebted to the government's largesse, they knew that if FOCA became law they would have to comply or lose their government funding, which would have constituted a *de facto* cessation of operations. Fortunately FOCA died in committee in 2008 thanks to Catholic and Republican opposition.

President Obama realized that he could accomplish FOCA's goals through his universal health care bill. His rhetorical skills and his political legerdemain attracted the support of many Catholics. The misguided support of the American Catholic hierarchy, which only blanched at its abortion provisions, gave it the bounce it needed to eventually pass. It wasn't until the 11th hour when ObamaCare's abortion language became fully apparent that they had to choose the unborn over the poor. The Catholic Health Care system is already feeling the economic drawbacks of ObamaCare. In October, President and CEO of Mercy Health Partners Kenneth Cook announced the closing of three hospitals in their system in Scranton, Pennsylvania.

A Fatal Tug of War

Scranton will not be the last. Thanks to ObamaCare's one-size-fits-all style of policy making, similar problems loom in California's Catholic hospitals. Many religious based hospitals and medical services are experiencing the fatal tug of war between their monetary needs and their Catholic principles. The case of St. Joseph's Hospital and Medical Center in Phoenix perfectly illustrates the Catholic bifurcation over government-funded health care and Catholic life principles.

In 2010, after several months of fruitless discussions with hospital administrators and ethicists, the Bishop of the Phoenix diocese, Bishop Thomas Olmsted, officially removed St. Joseph's *Catholic* designation. The decision follows a standoff between the hospital and the Bishop over an authorized abortion in 2009. The incident involved a mother of four who was 11 weeks pregnant. She was suffering from pulmonary hypertension when she was admitted to St. Joseph's in November of 2009.

The woman's family met with the hospital's Ethics Consult team and agreed that the pregnancy could be aborted. They believed that it was *appropriate since the goal was not to end the pregnancy but save the mother's life*. Nothing was said of the means. When news of the abortion surfaced several months later, Bishop Olmsted said Sister Margaret McBride was

automatically excommunicated because of her *formal cooperation in an abortion*... according to the Catechism of the Catholic Church. The bishop had futilely insisted that the hospital acknowledge that Catholic teaching never permits direct abortion as a form of medical treatment.

In an incredible defiance of the Bishop's authority, St. Joseph's announced that it would continue to provide *life-saving abortion care* to patients even though it meant losing its affiliation with their diocese. St. Joseph's prided itself and the hospital network that oversees it, Catholic Healthcare West, which is the eighth-largest healthcare company in the U.S., for upholding its *important legal and moral principles* while underscoring the need to ensure that religiously affiliated hospitals comply with their legal duty to provide emergency reproductive care.

The Last Straw

In the wake of his St. Joseph's decision, Bishop Olmsted found himself at the center of another controversy. The Bishop has been a target of Catholic progressives for years. They had criticized him as a reclusive, a hard-liner and someone too spiritual for the ordinary Catholic. His stance on abortion violated the *cultural sensitivities* of progressives who were intent on neutralizing the Catholic Church's teachings on human life.

The left struck with a vengeance in its attempt to discredit the Bishop. The pro-abortion lobby in Phoenix enlisted the American Civil Liberties Union (ACLU) to contact the Centers for Medicaid and Medicare Services to investigate reported instances where religious doctrine prevailed over the need for emergency reproductive care, and to issue a formal clarification that denying such treatment violates federal law.

By extension the Catholic Church has become the overall target. The ACLU charged that Catholic hospitals were in violation of the Emergency Medical Treatment and Active Labor Act, which requires hospitals that participate in Medicare and Medicaid to treat patients in emergencies and active labor. The ACLU also cited the Church's *refusal to provide timely reproductive health care to pregnant women* at Catholic hospitals. They complained that *religiously affiliated hospitals are not exempt from federal laws that protect a patient's right to receive emergency care, and cannot invoke their religious status to jeopardize the health and lives of pregnant women*.

Obama's favorite Nun

Another formidable player in the St. Joseph's controversy was Sister Carol Keehan, a Daughter of Charity, who represents the Catholic Health Association (CHA) 1,200 Catholic hospitals and health organizations nationwide. While she boasts that the CHA is in step with Catholic teachings, Sister Keehan has riled the Bishops with her unqualified support of ObamaCare and her defense of Obama's first Health and Human Services (HHS) nominee Tom Daschle and his deputy health care director Jeanne Lambrew, both ardent abortion rights supporters.

In performing an abortion to save a mother's life, Sister Keehan argued that St. Joseph's had *correctly applied* Catholic teachings to the chagrin of many of the hospital's doctors. The Catholic principle that she alluded to is commonly called the *double effect*, which originated with St. Thomas Aquinas. The 13th century Dominican friar reasoned that it could be morally permissible to kill someone in self-defense because one's intention is self-preservation, not murder. Doctors may morally perform necessary and non-abortive medical procedures on pregnant women in order to treat a serious illness, even if it has the *secondary effect* of harming or killing an unborn child.

The logic behind the St. Joseph's situation was to treat the mother's pregnancy as a pathological situation in which the pregnancy could be terminated as a threat to the mother's life, a morally twisted form of self-defense. They argued that their intention was not to kill the child, but to save the life of the mother. A normal pregnancy can never be regarded as a *disease*, nor may a doctor perform an abortion as a means of treating any serious condition. The hospital's *ethical thinking* is specious reasoning and a perversion of the Church's teaching on the *double effect*, which states that the *bad effect must not be the means by which one achieves the good effect*.

Still Waters

The still waters of the Catholic Health Care scandal run much deeper. Bishop Olmsted's subsequent investigation found that St. Joseph's Hospital and its parent company Catholic Healthcare West were involved in a pattern of behavior that violated Catholic ethical directives. The Bishop also learned that St. Joseph's Hospital, as part of what is called *Mercy Care Plan*, had been engaging in abortions *due to the mental or physical health of the mother or when the pregnancy is the result of rape or incest*. Bishop Olmsted noted last December that St. Joseph's Hospital *has made more than a hundred million dollars every year from this partnership with the government*.

It has become evident that many Catholic health care providers have *lost a sense of what their religious identity once meant*. Leonard J. Nelson, a legal scholar and author of the book *Diagnosis Critical: The Urgent Threats Confronting Catholic Healthcare*, said Church-affiliated hospitals in some parts of the U.S. *had become accustomed to little oversight with broader health care guidelines*. A study funded by pro-abortion organizations surveyed staff at all 597 Catholic hospitals in the United States and found that 45% of them were willing to

dispense the *morning after pill*, which causes chemical abortions. There could even be more trouble ahead for Catholic hospitals that still adhere to Catholic teaching. Washington state, Illinois and California have laws requiring emergency rooms to provide rape victims with information about the drug.

The good news is that some Catholic Hospitals refuse to join the movement to eliminate Catholic moral principles from health care. In 2010 the Boston archdiocesan health care system, known as Caritas Christi Health Care, at the prompting of Boston Cardinal Seán O'Malley, severed its ties with the Missouri-based health insurer Centene. The move followed months of outcry from Catholic groups who were angered at the hospital system's lucrative participation with Centene, which has been embroiled in a scandal over plans to provide the state's abortion-covering insurance.

After months of tireless effort from the American Life League and local pro-life groups this scandal was averted, just days from betraying Catholicism's *unwavering commitment to the dignity of the human person*. According to *Caritas Christi* CEO Dr. Ralph de la Torre: *By withdrawing from the joint venture and serving the poor as a provider in the Connector, upholding Catholic moral teaching at all times, they are able to carry forward the critical mission of Catholic health care*.

The Church needs more leaders of the quality of Cardinal O'Malley and Bishop Olmsted to stem the assault on Catholic Health Care system, which remains as the *Last Centurion* in opposition to the Marxist onslaught of AbortionCare. Otherwise the church will fall victim to Shafarevich's prophecy: Marxism's determination to destroy the Church, the family and private property.



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N.B. On page 2 of February 2011 Mindszenty Report, the term or idiom "mirror's image" with regard to Presidents Reagan and Obama means the direct opposite or a reversal of what is seen in the mirror. Unfortunately, Editor William Borst was clever but it misled many. Obama is the antithesis of Reagan!

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2 TIMOTHY 4:18

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