

March 12, 2019



Women's Med Center Hearing Update

This morning, the 2nd District Court of Appeals in Montgomery County heard oral arguments on the latest appeal filed by Women's Med Center challenging their license revocation. Both sides submitted evidence similar to that of the hearing before Judge Wiseman last year. Attorney Stephen Carney, representing the State of Ohio's Department of Health, reiterated the State's position that the Director's decision on the variance is "final". Much discussion was held as to how that is to be interpreted, and we look forward to Court's decision. Judges Tucker, Hall, and Donovan heard the case and will issue their decision in a timely manner.

"We are hopeful that the lower court's decision will be upheld and this will ultimately lead to the eventual closure of this facility," says Margie Christie, Executive Director of Dayton Right to Life. "Dayton Right to Life will continue to advocate at all levels for women's health and the life of their children," she adds.

For more information on Women's Med Center, visit the ["Abortion in Dayton"](#) page on our website.

Ohio Defunding of Planned Parenthood Upheld

In other news, on the Federal level, today the U.S. 6th district court that hears cases in Ohio Kentucky, Michigan, and Tennessee, upheld the Ohio legislature's defunding of Planned Parenthood funds. The amount, though only 1.5 million, of the millions it receives from the state is still significant. In 2016, Judge Michael Barrett sided with Planned Parenthood against the State's law to defund the abortion business.

According to Judge Jeffrey Sutton in the 11-6 majority opinion:

"Private organizations do not have a constitutional right to obtain governmental funding to support their activities," Sutton wrote. "The state also may choose not to subsidize constitutionally protected activities. Just as it has no obligation to provide a platform for an individual's free speech, say a Speaker's Corner in downtown Columbus, it has no obligation to pay for a woman's abortion. Case after case establishes that a government may refuse to subsidize abortion services."

"The Supreme Court has never identified a freestanding right to perform abortions," Sutton continued. "To the contrary, it has indicated that there is no such thing. ... Medical centers do not have a constitutional right to offer abortions. Yet, if we granted Planned Parenthood relief today, we would be effectively saying that they do."