

Mike Lawler Message #1 Backup

Mike Lawler has voted 19 times against protecting Social Security and Medicare benefits for people who spent a lifetime paying into the system. He opposed lowering prescription drug costs for seniors and protections for nursing home residents.

Mike Lawler Has Voted 19 Times Against Protecting Social Security And Medicare Benefits For People Who Spent A Lifetime Paying Into The System.

1. October 3, 2023: Lawler Voted To Block Consideration For Protecting Social Security And Medicare. In October 2023, Lawler voted for: “Reschenthaler, R-Pa. motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. Scanlon said, “Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide for consideration of a resolution which clearly states that it is the people’s House’s duty to keep our promise to American workers and seniors to protect and preserve Social Security and Medicare and fight against any cuts to these vital programs.” A vote *for the motion* was a vote to block consideration of the bill. The motion was agreed to by a vote of 218-207. [H.Res. 756, [Vote #516](#), 10/3/23; CQ, [10/3/23](#); Congressional Record, [10/3/23](#)]

2. September 19, 2023: Lawler Voted For Blocking Consideration Of A Resolution To Protect Social Security And Medicare. In September 2023 Lawler voted for: “Cole, R-Okla., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. Fernandez said, “I am going to offer my friends, my dear friends, a chance to show the American people that they are serious about preserving Social Security and Medicare. I urge you all to join us in defeating the previous question. If we defeat the previous question, I will offer an amendment to the rule to provide for consideration of a resolution which plainly states that the people’s House won’t cut a single cent from these crucial programs that so many of my constituents, so many of your constituents, rely on.” A vote *for the motion* was a vote to block consideration of the resolution. The motion was agreed to by a vote of 217-209. [H. Res. 680, [Vote #397](#), 9/19/23; CQ, [9/19/23](#); Congressional Record, [9/19/23](#)]

3. September 14, 2023: Lawler Voted For Blocking Consideration Of Protecting And Preserving Social Security And Medicare. In September 2023, Lawler voted for: “Burgess, R-Texas, motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. Leger Fernandez said, “Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide for consideration of a resolution which clearly states that it is the people’s House’s duty to keep our promise to American workers and seniors to protect and preserve Social Security and Medicare and fight against any cuts to these vital programs.” A vote *for the motion* was a vote to block consideration of the bill. The motion was agreed to by a vote of 214-198. [H.Res. 681, [Vote #388](#), 9/14/23; CQ, [9/14/23](#); Congressional Record, [9/14/23](#)]

4. July 26, 2023: Lawler Voted For Blocking Consideration Of Protecting Social Security And Medicare. In July 2023, Lawler voted for: “Reschenthaler, R-Pa., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. Neguse said, “Mr. Speaker, if we defeat the previous question, I will offer an amendment that we have offered before to the rule to provide for consideration of a resolution which unambiguously states that it is the House’s duty to keep our solemn promise to American workers and seniors to protect and preserve Social Security and Medicare and reject any cuts to these critical programs.” A vote *for the motion* was a

vote to block consideration of the bill. The motion was agreed to by a vote of 208-191. [H.Res. 614, [Vote #367](#), 7/26/23; CQ, [7/26/23](#); Congressional Record, [7/26/23](#)]

5. July 18, 2023: Lawler Voted For Blocking Consideration Of A Resolution To Protect Social Security and Medicare. In July 2023, Lawler voted for: “Houchin, R-Ind motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. Scanlon, D-___ said, “Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide for consideration of a resolution which unequivocally states that it is the House’s duty to keep our sacred promise to American workers and seniors to protect and preserve Social Security and Medicare and reject any cuts to those essential programs.” **A vote for the motion was a vote to block consideration of the bill.** The motion was agreed to by a vote of 213-207. [H.Res. 597, [Vote #331](#), 7/18/23; CQ, [7/18/23](#); Congressional Record, [7/18/23](#)]

6. June 22, 2023: Lawler Voted For Blocking Consideration Of A Resolution Stating It Is The House’s Responsibility To Provide Social Security And Medicaid And To Reject Cuts To The Programs. In June 2023, Lawler voted for: “Roy, R,Texas., motion to order the previous question (thus ending debate and the possibility of amendment).” According to the Congressional Record, Rep McGovern said, “Mr. Speaker, I urge that we defeat the previous question, and I will offer an amendment to the rule to provide for consideration of a resolution assuring our constituents that the people’s House will protect and preserve Social Security and Medicare for our future generations and reject any cuts to these essential programs.” **A vote for the motion was a vote to block consideration of the resolution.** The motion was agreed to 214-206. [H.Res. 463, [Vote #284](#), 6/22/23; CQ, [6/22/23](#); Congressional Record, [6/22/23](#)]

7. June 13, 2023: Lawler Voted For Blocking Consideration Of A Joint Resolution Stating It Is The House’s Responsibility To Provide Social Security And Medicaid And To Reject Cuts To The Programs. In June 2023, Lawler voted for onal Record, Rep McGovern said ““Mr. Speaker, I am going to urge that we defeat the previous question, and if we do, then I will offer an amendment to the rule to provide for consideration of a resolution which states that it is the House’s duty to protect and preserve Social Security and Medicare for our future generations and reject any cuts to these essential programs.”” **A vote for the motion was a vote to block consideration of the bill.** The motion was agreed to 216-209. [H.Res. 495, [Vote #249](#), 6/13/23; CQ, [6/13/23](#); Congressional Record, [6/13/23](#)]

8. June 6, 2023: Lawler Voted For Blocking Consideration Of A Resolution Stating It’s The House’s Responsibility To Protect And Preserve Social Security And Medicaid And To Reject Cuts To The Programs. In February 2019, Lawler voted for: “Massie, R-Ky, motion to order the previous question (thus ending debate and the possibility of amendment).” According to the Congressional Record, Rep. Scanlon said “Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide for consideration of a resolution which states that it is the House’s responsibility to protect and preserve Social Security and Medicaid for our future generations and reject any cuts to these essential programs.” **A vote for the motion was a vote to block consideration of the bill.** The motion was agreed to 215-203. [H. Res. 463, [Vote #247](#), 6/6/23; CQ, [6/6/23](#); Congressional Record, [6/6/23](#)]

9. May 23, 2023: Lawler Voted For Blocking Consideration Of Protecting Social Security And Medicare And Rejecting Cuts To The Programs. In May 2023, Lawler voted for: “Burgess, R-Texas, motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. Leger Fernandez said, “Madam Speaker, I point out that if we defeat the previous question, I will offer an amendment to the rule to provide for consideration of a resolution, which states that it is the House’s responsibility to protect and preserve Social Security and Medicare for future generations and reject any cuts to these essential programs.” **A vote for the motion was a vote to**

block consideration of the bill. The motion was agreed to by a vote of 219-208. [H.Res. 429, [Vote #230](#), 5/23/23; CQ, [5/23/23](#); Congressional Record, [5/23/23](#)]

10. May 16, 2023: Lawler Voted For Blocking Consideration Of Protecting Social Security And Medicare And Rejecting Cuts To The Programs. In May 2023, Lawler voted for: “Fischbach, R-Minn, motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. McGovern said, “Mr. Speaker, I urge that we defeat the previous question. If we do, I will offer an amendment to the rule for consideration of a resolution which states that it is the House’s responsibility to protect and preserve Social Security and Medicare for future generations and reject any cuts to these essential programs.” **A vote for the motion was a vote to block consideration of the bill.** The motion was agreed to by a vote of 220-209. [H.Res. 398, [Vote #215](#), 5/16/23; CQ, [5/16/23](#); Congressional Record, [5/16/23](#)]

11. April 26, 2023: Lawler Voted For Blocking Consideration Of Stating Responsibility To Defend And Preserve Social Security And Medicare And Reject Cuts To The Programs. In April 2023, Lawler voted for: “Cole, R-Okla., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. McGovern said, “Mr. Speaker, I urge that we defeat the previous question. If we do, then I will offer an amendment to the rule to provide for consideration of a resolution that allows the House to state unequivocally that it is our responsibility to defend and preserve Social Security and Medicare for generations to come and reject any cuts to these vital programs.” **A vote for the motion was a vote to block consideration of the bill.** The motion was agreed to by a vote of 218-210. [H. Res. 327, [Vote #195](#), 4/26/23; CQ, [4/26/23](#); Congressional Record, [4/26/23](#)]

12. April 18, 2023: Lawler Voted For Blocking Consideration Of Affirming Commitment To Protect And Strengthen Social Security And Medicare And Reject Cuts To The Programs. In April 2023, Lawler voted for: “Houchin, R-Ind., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. Leger Fernandez said, “Mr. Speaker, if we defeat the previous question, which I hope we do, I will offer an amendment to the rule to provide for consideration of a resolution that affirms the House’s unwavering commitment to protect and strengthen Social Security and Medicare and states that it is the position of the House to reject any cuts to the program.” **A vote for the motion was a vote to block consideration of the bill.** The motion was agreed to by a vote of 218-203. [H.Res. 298, [Vote #185](#), 4/18/23; CQ, [4/18/23](#); Congressional Record, [4/18/23](#)]

13. March 28, 2023: Lawler Voted For Blocking Consideration Of Affirming Commitment To Protect And Strengthen Social Security And Medicare. In March 2023, Lawler voted for: “Reschenthaler, R-Pa., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. McGovern said, “Mr. Speaker, I urge that we defeat the previous question. If we do, I will offer an amendment to the rule to provide for consideration of a resolution that affirms the House’s unwavering commitment to protect and strengthen Social Security and Medicare, and states that it is the position of the House of Representatives to reject any cuts to these programs.” **A vote for the motion was a vote to block consideration of the bill.** The motion was agreed to by a vote of 218-203. [H.Res. 260, [Vote #165](#), 3/28/23; CQ, [3/28/23](#); Congressional Record, [3/28/23](#)]

14. March 23, 2023: Lawler Voted For Blocking Consideration Of A Resolution To Defend And Preserve Social Security And Medicare And Reject Cuts To The Programs. In March 2023, Lawler voted for: “Houchin, R-Ind., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. Scanlon said, “Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide for consideration of a resolution that states the House’s unyielding responsibility to defend and preserve Social Security and Medicare for generations to come and to affirm that it is the position of the House to reject any cuts to these vital

programs.” *A vote for the motion was a vote to block consideration of the bill.* The motion was agreed to by a vote of 219-204. [H.Res. 241, [Vote #146](#), 3/23/23; CQ, [3/23/23](#); Congressional Record, [3/23/23](#)]

15. March 8, 2023: Lawler Voted For Blocking Consideration Of Affirming Commitment To Protect Social Security And Medicare And To Reject Cuts To The Programs. In March 2023, Lawler voted for: “Massie, R-Ky., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. McGovern said, “Madam Speaker, I urge that we defeat the previous question, and if we do, I will offer an amendment to the rule to provide for consideration of a resolution that affirms the House’s unwavering commitment to protect and strengthen Social Security and Medicare and states that it is the position of the House to reject any cuts in the program.” *A vote for the motion was a vote to block consideration of the bill.* The motion was agreed to by a vote of 217-205. [H.Res. 199, [Vote #134](#), 3/8/23; CQ, [3/8/23](#); Congressional Record, [3/8/23](#)]

16. February 28, 2023: Lawler Voted For Blocking Consideration Of Affirming Commitment To Protect And Strengthen Social Security And Medicare And Reject Cuts To The Programs. In February 2023, Lawler voted for: “Burgess, R-Texas, motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. McGovern said, “Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide for consideration of a resolution that affirms the House’s unwavering commitment to protect and strengthen Social Security and Medicare and states that it is the position of the House to reject any cuts to the programs.” *A vote for the motion was a vote to block consideration of the bill.* The motion was agreed to by a vote of 213-201. [H.Res. 166, [Vote #122](#), 2/28/23; CQ, [2/28/23](#); Congressional Record, [2/28/23](#)]

17. February 7, 2023: Lawler Voted For Blocking Consideration Of Certification That A Bill Won’t Decrease Social Security Benefits Before It Can Take Effect. In February 2023, Lawler voted for: “Langworthy, R-N.Y., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. Scanlon said, “Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to ensure that H.R. 185 does not take effect unless it is certified that it won’t decrease Social Security benefits.” *A vote for the motion was a vote to block consideration of the bill.* The motion was agreed to by a vote of 217-208. [H.Res. 97, [Vote #108](#), 2/7/23; CQ, [2/7/23](#); Congressional Record, [2/7/23](#)]

18. February 1, 2023: Lawler Voted For Blocking Consideration Of Preventing Bills Under Consideration From Decreasing Social Security Benefits. In January 2023, Lawler voted for: “Reschenthaler, R-Pa., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. McGovern said, “Mr. Speaker, if we defeat the previous question, I will offer an amendment to this rule to include this important amendment and give every Member on the floor the opportunity to clarify that existing Federal programs like Social Security and Medicare are not under attack by this new Congress.” *A vote for the motion was a vote to block consideration of the bill.* The motion was agreed to by a vote of 219-207. [H. Res. 83, [Vote #101](#), 2/1/23; CQ, [2/1/23](#); Congressional Record, [2/1/23](#)]

19. January 31, 2023: Lawler Voted For Blocking Consideration Of Preventing Bills Under Consideration From Decreasing Social Security Benefits. In January 2023, Lawler voted for: “Burgess, R-Texas, motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. McGovern said, “Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to ensure that none of the bills in this rule take effect unless it is certified that they do not decrease Social Security benefits.” *A vote for the motion was a vote to block consideration of the bill.* The motion was agreed to by a vote of 218-209. [H.Res. 75, [Vote #95](#), 1/31/23; CQ, [1/31/23](#); Congressional Record, [1/31/23](#)]

He Opposed Lowering Prescription Drug Costs For Seniors...

August 2022: Lawler Said, “I Would Not Have Supported The Quote Unquote Inflation Reduction Act.” “ASTORINO: “Mike, let me ask you. You’ve got inflation running rampant, right now, people can’t afford it. Let’s talk about that first. What are some of the things that you would do to stop this economy from spinning out of control?” LAWLER: “Well you know, first and foremost I would not have supported the quote unquote Inflation Reduction Act. It is nothing more than a slimmed down version of Build Back Better which was, you know, the progressive pipedream and incorporated a lot of the Green New Deal into it. Sean Patrick Maloney was a proud original cosponsor, he tells everybody, original cosponsor of the Green New Deal.” [Mike Lawler, Facebook, 7:03, [8/22/22](#)] (VIDEO)

NBC: The Inflation Reduction Act “Is Set To Lower The Cost Of Prescription Drugs.” “The Inflation Reduction Act, signed into law by President Joe Biden, is set to lower the cost of prescription drugs — including cancer medications, blood thinners and insulin — for millions of Americans, experts say. Exorbitant drug prices in the United States are a key reason many people in the U.S. are forced to skip or delay filling their needed prescriptions. A Kaiser Family Foundation poll published last month found that nearly 1 in 2 adults report difficulty affording their health care expenses, including their prescribed medications.” [NBC, [8/16/22](#)]

The Inflation Reduction Act Capped Out-Of-Pocket Costs At \$2,000 For Seniors Under Medicare Part D. “Medicare is poised to renegotiate the prices of some of its most expensive drugs through a historic expansion of its power, which could reduce costs for many seniors as well as federal spending on its prescription drug plan. The changes are tucked inside a massive spending-and-tax bill in Congress that includes \$433 billion in investments in health-care and clean energy. House Democrats passed the Inflation Reduction Act on Friday in a 220 to 207 vote along party lines, ending a tortured legislative process that took more than a year. The bill empowers the Health and Human Services Secretary to negotiate prices for certain drugs covered under two different parts of Medicare and punish pharmaceutical companies that don’t play by the rules. The legislation also caps out-of-pocket costs at \$2,000 starting in 2025 for people who participate in Medicare Part D, the prescription drug plan for seniors.” [CNBC, [8/12/22](#)]

- **AARP CEO Jo Ann Jenkins On The Inflation Reduction Act: Millions Of Older Adults Are Now “One Step Closer To Real Relief From Out-Of-Control Prescription Drug Prices.”** “Medicare is poised to renegotiate the prices of some of its most expensive drugs through a historic expansion of its power, which could reduce costs for many seniors as well as federal spending on its prescription drug plan. The changes are tucked inside a massive spending-and-tax bill in Congress that includes \$433 billion in investments in health-care and clean energy. House Democrats passed the Inflation Reduction Act on Friday in a 220 to 207 vote along party lines, ending a tortured legislative process that took more than a year. [...] The American Association of Retired Persons, which represents 38 million people, described the legislation as a historic victory for older adults. AARP CEO Jo Ann Jenkins said the group has fought for nearly two decades to allow Medicare to negotiate drug prices. Millions of older adults are now “one step closer to real relief from out-of-control prescription drug prices,” Jenkins said earlier this week.” [CNBC, [8/12/22](#)]

The IRA Allowed Medicare To Negotiate Drug Prices, Reducing Drug Costs For Seniors And Federal Spending. “Medicare is poised to renegotiate the prices of some of its most expensive drugs through a historic expansion of its power, which could reduce costs for many seniors as well as federal spending on its prescription drug plan. The changes are tucked inside a massive spending-and-tax bill in Congress that includes \$433 billion in investments in health-care and clean energy. House Democrats passed the Inflation Reduction Act on Friday in a 220 to 207 vote along party lines, ending a tortured

legislative process that took more than a year. The bill empowers the Health and Human Services Secretary to negotiate prices for certain drugs covered under two different parts of Medicare and punish pharmaceutical companies that don't play by the rules. The legislation also caps out-of-pocket costs at \$2,000 starting in 2025 for people who participate in Medicare Part D, the prescription drug plan for seniors." [CNBC, [8/12/22](#)]

The IRA Required Drug Companies That Raised Prices More Than The Rate Of Inflation To Rebate Medicare The Amount Over The Inflation Rate. "President Joe Biden signed the Inflation Reduction Act of 2022 on Aug. 16. This historic legislation will help millions of Medicare enrollees better afford their life-sustaining medications, and millions more Americans will be able to pay their Affordable Care Act premiums. [...] Here are the main elements of the health care portions of the new law. [...] Beginning in October, if the price of a Part D prescription drug is raised by more than the rate of general inflation, the drugmaker will have to rebate to Medicare the amount of the increase above the inflation rate. Rebates for higher-than-inflation price hikes for medications covered under Medicare Part B (usually office-based infusions, such as for cancer drugs) will begin in January 2023." [AARP, [8/16/22](#)]

IRA Capped Copays For Insulin At \$35 For Medicare Patients. "A new legislative package signed into law by President Joe Biden on Tuesday is a big win for Medicare patients who struggle to cover the cost of insulin to manage their diabetes. But the bill, called the Inflation Reduction Act, falls short of applying those cost controls to the broader patient population who rely on insulin. The bill limits insulin copays to \$35 per month for Medicare Part D beneficiaries starting in 2023. Notably, seniors covered by Medicare also have a \$2,000 annual out-of-pocket cap on Part D prescription drugs starting in 2025. Medicare will also now have the ability to negotiate the costs of certain prescription drugs." [CNBC, [8/16/22](#)]

...And Protections For Nursing Home Residents.

March 2021: Lawler Voted Against A05684A. In March 2021, Lawler voted against A05684A in a floor vote in the New York State Assembly. [New York State Assembly, A05684A, [3/9/21](#)]

- **A05684A Passed The Assembly By A Vote Of 112 To 36 And Was Signed Into Law.** New York State Assembly, A05684A, [4/24/21](#)]
- **A05684A Sought To Ensure That Nursing Home Operators Seeking Changes Of Ownership Or Operations Were Reviewed Before Being Entrusted With Additional Patient Care.** "To ensure that nursing home operators and owners who come before the Public Health and Health Planning Council (PHHPC) for change of ownership or operations are reviewed and approved based upon several quality metrics before they are entrusted with the care of additional individuals. The bill also enhances transparency around related assets and operations of nursing homes as well as of applications for changes to ownership and/or operation of a facility." [New York State Assembly, A05684A, [3/9/21](#)]
- **A05684A Sought To Preclude Nursing Home Operations Applicants With "A History Of State Or Federal Violations Of Immediate Jeopardy Or Actual Harm."** PHHPC shall adopt rules to guide its determination that "that a substantially consistent high level of care has been rendered" by an applicant. The rules would eliminate applicants that have a history of state or federal violations of immediate jeopardy or actual harm; receivership, revocation, or involuntary termination from Medicare or Medicaid; or conviction of patient abuse, neglect or exploitation." [New York State Assembly, A05684A, [3/9/21](#)]

- **A05684A Sought To Preclude Nursing Home Operations Applicants With A History Of “Receivership, Revocation, Or Involuntary Termination From Medicare Or Medicaid.”** PHHPC shall adopt rules to guide its determination that “that a substantially consistent high level of care has been rendered” by an applicant. The rules would eliminate applicants that have a history of state or federal violations of immediate jeopardy or actual harm; receivership, revocation, or involuntary termination from Medicare or Medicaid; or conviction of patient abuse, neglect or exploitation.” [New York State Assembly, A05684A, [3/9/21](#)]
- **A05684A Sought To Preclude Nursing Home Operations Applicants With A History Of “Conviction Of Patient Abuse, Neglect, Or Exploitation.”** PHHPC shall adopt rules to guide its determination that “that a substantially consistent high level of care has been rendered” by an applicant. The rules would eliminate applicants that have a history of state or federal violations of immediate jeopardy or actual harm; receivership, revocation, or involuntary termination from Medicare or Medicaid; or conviction of patient abuse, neglect or exploitation.” [New York State Assembly, A05684A, [3/9/21](#)]
- **A05684A Required Operators To Make Public Disclosures Related To Changes In Ownership Or Contractual Agreements.** “The bill amends Public Health Law section 2803-x to ensure information on nursing home assets and operations, including familial ownership relationships, be made public. It requires operators to notify the Department 90 days prior to entering into any new common or family ownership of a services provider to the operator. It also requires notice of contractual agreements relative to a sale, mortgage, management, operations, and staffing agencies and prohibits delegating operational control to such contractors.” [New York State Assembly, A05684A, [3/9/21](#)]

March 2022: Lawler Voted Against S07726. In March 2022, Lawler voted against S07726 in a floor vote in the New York State Assembly. [New York State Assembly, S07726, [3/10/22](#)]

S07726 Passed The Assembly By A Vote Of 100 To 40 And Was Signed Into Law. [New York State Assembly, S07726, [3/18/22](#)]

- **S07726 Directed The Commissioner Of Health To Implement An “Infection Inspection Control Audit” For Nursing Homes.** “Directs the commissioner of health to establish and implement an infection inspection control audit and checklist on nursing homes; provides civil penalties for nursing homes who violate infection control standards.” [New York State Assembly, S07726, [3/10/22](#)]

June 2021: Lawler Voted Against S01783A. In June 2021, Lawler voted against S01783A in a floor vote in the New York State Assembly [New York State Assembly, S01783A, [6/9/21](#)]

S01783A Passed The Assembly By A Vote Of 105 To 43 And Was Signed Into Law. [New York State Assembly, S01783A, [12/22/21](#)]

- **S01783A Directed The Commissioner Of Health To Establish An “Infection Inspection Audit” For Nursing Homes.** “Directs the commissioner of health to establish and implement an infection inspection audit and checklist on nursing homes.” [New York State Assembly, S01783A, [6/9/21](#)]

March 2021: Lawler Voted Against A05685A. In March 2021, Lawler voted against A05685A in a floor vote in the New York State Assembly. [New York State Assembly, A05685A, [3/9/21](#)]

- **A05685A Passed The Assembly By A Vote Of 101 To 47.** [New York State Assembly, A05685A, [3/9/21](#)]
- **A05685A Would Require Nursing Homes To Spend At Least 70% Of Operating Costs On Resident Care.** “Nursing homes must spend at least a 70% of total operating revenue on resident care. Within that required spend, 60% of that amount must be spent on direct nursing care. If a nursing home fails to meet the required percentages in a calendar year, it would owe the difference to DOH (to be collected, if necessary, by deducting from Medicaid payments or by lawsuit). The money would go to the Nursing Home Quality Improvement Demonstration Program under PHL § 2808-d(6).” [New York Assembly, A05685A, [3/9/21](#)]
- **A05685A Would Require That At Least 60% Of The Total Spent On Resident Care Be Spent On Direct Nursing Care.** “Nursing homes must spend at least a 70% of total operating revenue on resident care. Within that required spend, 60% of that amount must be spent on direct nursing care. If a nursing home fails to meet the required percentages in a calendar year, it would owe the difference to DOH (to be collected, if necessary, by deducting from Medicaid payments or by lawsuit). The money would go to the Nursing Home Quality Improvement Demonstration Program under PHL § 2808-d(6).” [New York Assembly, A05685A, [3/9/21](#)]

Mike Lawler Message #2 Backup

While taking more than \$150,000 from the insurance industry, Mike Lawler has opposed measures to lower health care premiums, voted against coverage for mental health care, and opposed capping the cost of the lifesaving drug insulin at \$35 per month. He even opposed the law that prevents insurance companies from denying coverage to millions of New Yorkers with pre-existing conditions.

While Taking More Than \$150,000 From The Insurance Industry, Mike Lawler...

As Of March 2023, Lawler’s Campaign Accepted \$150,096 From The Insurance Industry.
[OpenSecrets, updated [3/20/23](#)]

...Has Opposed Measures To Lower Health Care Premiums...

August 2022: Lawler Said, “I Would Not Have Supported The Quote Unquote Inflation Reduction Act.” “ASTORINO: “Mike, let me ask you. You’ve got inflation running rampant, right now, people can’t afford it. Let’s talk about that first. What are some of the things that you would do to stop this economy from spinning out of control?” LAWLER: “Well you know, first and foremost I would not have supported the quote unquote Inflation Reduction Act. It is nothing more than a slimmed down version of Build Back Better which was, you know, the progressive pipedream and incorporated a lot of the Green New Deal into it. Sean Patrick Maloney was a proud original cosponsor, he tells everybody, original cosponsor of the Green New Deal.” [Mike Lawler, Facebook, 7:03, [8/22/22](#)] (VIDEO)

- **The IRA Extended Expanded Affordable Care Act Subsidies For Three More Years Helping Low- And Middle-Income Families Afford Healthcare.** “One way Obamacare expanded health care coverage was by creating marketplaces for people to purchase insurance and offering federal subsidies to help low- and middle-income households afford it. Households making up to 400 percent of the federal poverty line — about \$106,000 for a family of four — could get federal help to pay their premiums. After that, they were on their own. But in 2021, Congress eliminated those caps, instead saying that no household should have to pay more than 8.5 percent of their income for health

insurance. The change had the biggest effect on people making between 400 and 600 percent of the federal poverty line (for the same household of four, that would be up to \$159,000 per year). As Vox's Dylan Scott previously reported, the changes also enabled roughly 7 million people to qualify for free health insurance under the ACA. Those policies, however, were set to sunset by the end of this year, leaving millions of people to face much higher health care expenses moving forward. The Inflation Reduction Act extends these subsidies for three years through the end of 2025, ensuring that people won't face that surge for a while yet. That extension is expected to cost \$64 billion, according to a projection from the Congressional Budget Office." [Vox, [7/28/22](#)]

- **The IRA Will Save Average Marketplace Enrollees \$800 Per Year By Extending Premium Tax Credits Through 2025 Initially Made Available By The American Rescue Plan.** "The Inflation Reduction Act lowers costs for millions of people who purchase health coverage on their own by extending the enhanced financial assistance made available through the American Rescue Plan Act (ARP) through 2025. By making premium tax credits newly available to more middle-class families and improving the generosity of financial help for those previously eligible, the ARP helped drive marketplace enrollment to a record high of 14.5 million and the U.S. uninsurance rate to an all-time low of just 8 percent. Thanks to the ARP, the average marketplace enrollee saves \$800 per year." [Center for American Progress, [8/12/22](#)]

June 2023: Lawler Voted For The Passage Of The Bill Allowing Employers More Flexibility in Deciding What Type Of Healthcare To Provide Employees. In June 2023, Lawler voted for: "Passage of the bill, as amended, that would create additional flexibilities for employers providing health insurance. The bill would allow groups of employers to establish and maintain group health plans for employees. It would require such groups to provide coverage to at least 51 employees and to have been in existence for at least two years prior to establishing the health plan. It would allow self-employed individuals to establish a group for the purpose of maintaining a group health plan. The bill would also allow employer-financed health reimbursement arrangements (HRA) to be used by employees to purchase insurance plans on state exchanges. It would also deem such HRAs compliant with requirements under current law for employers to provide health insurance coverage. To be eligible, it would require employers to offer the same HRA plan to all employees of a certain class, as defined by the bill, including full- and part-time employees, employees under the same collective bargaining agreement, and non-resident alien employees. It would also require employers to give eligible employees 90 days' written notice prior to the beginning of the plan year of their rights and obligations. Among other provisions, the bill would rescind \$245 million in fiscal 2024 from the Health and Human Services Department's Prevention and Public Health Fund, specify that stop-loss policies obtained by a self-insured group health plan or plan sponsor do not qualify as health insurance coverage under the Employee Retirement Income Security Act, and require the Treasury Department, within one year of enactment, to notify employers of the availability of tax-advantaged flexible health insurance benefits, with an initial focus on small businesses. HR 3799 also contains the text of the Small Business Flexibility Act (HR 3798), the Association Health Plans Act (HR 2868) and the Self-Insurance Protection Act (HR 2813)." The bill passed 220 to 209. [H.R. 3799, [Vote #282](#), 6/21/23; CQ, [6/21/23](#)]

- **Lawler Voted Against An Amendment To Delay Implementing Providing Health Care Flexibilities To Avoid Higher Premium Rates For Older Workers.** In June 2023, Lawler voted against: "Hayes, D-Conn., amendment no. 1 that would delay the effective date of the bill's provisions until the Labor Department certifies that they would not result in higher premium rates for older workers." The amendment was rejected by a vote of 211-220. [H.R. 3799, [Vote #278](#), 6/21/23; CQ, [6/21/23](#)]

...Voted Against Coverage For Mental Health Care...

March 2022: Lawler Voted Against A01171A. In March 2022, Lawler voted against AF01171A in a floor vote in the New York State Assembly. [New York State Assembly, A01171A, [3/30/22](#)]

- **A01171A Passed The Assembly By A Vote Of 114 To 34.** [New York State Assembly, A01171A, [3/30/22](#)]

June 2021: Lawler Voted Against A01171A. In June 2021, Lawler voted against A01171A in a floor vote in the New York State Assembly. [New York State Assembly, A01171A, [6/10/21](#)]

- **A01171A Passed The Assembly By A Vote Of 110 To 39.** [New York State Assembly, A01171A, [6/10/21](#)]

A01171A Would Require “A Group Or Accident And Health Insurance Policy Which Provides Coverage For Physician Services” To Also Cover Access To Mental Health Counselors. “Section 1 would amend item (ii) of subparagraph (A) of paragraph 5 of subsection 1 of section 3221 of the insurance law to provide that a group or accident and health insurance policy which provides coverage for physician services must also provide coverage for outpatient care by a mental health counselor, marriage and family therapist, creative arts therapist or psychoanalyst licensed under article one hundred sixty-three of the education law and a licensed clinical social worker licensed under article 154 of the education law. Nothing in this act shall be construed as to create a new mandated health benefit.” [New York State Assembly, A01171A, [6/10/21](#)]

...And Opposed Capping The Cost Of The Lifesaving Drug Insulin At \$35 Per Month.

August 2022: Lawler Said, “I Would Not Have Supported The Quote Unquote Inflation Reduction Act.” “ASTORINO: “Mike, let me ask you. You’ve got inflation running rampant, right now, people can’t afford it. Let’s talk about that first. What are some of the things that you would do to stop this economy from spinning out of control?” LAWLER: “Well you know, first and foremost I would not have supported the quote unquote Inflation Reduction Act. It is nothing more than a slimmed down version of Build Back Better which was, you know, the progressive pipedream and incorporated a lot of the Green New Deal into it. Sean Patrick Maloney was a proud original cosponsor, he tells everybody, original cosponsor of the Green New Deal.” [Mike Lawler, Facebook, 7:03, [8/22/22](#)] (VIDEO)

- **IRA Capped Copays For Insulin At \$35 For Medicare Patients.** “A new legislative package signed into law by President Joe Biden on Tuesday is a big win for Medicare patients who struggle to cover the cost of insulin to manage their diabetes. But the bill, called the Inflation Reduction Act, falls short of applying those cost controls to the broader patient population who rely on insulin. The bill limits insulin copays to \$35 per month for Medicare Part D beneficiaries starting in 2023. Notably, seniors covered by Medicare also have a \$2,000 annual out-of-pocket cap on Part D prescription drugs starting in 2025. Medicare will also now have the ability to negotiate the costs of certain prescription drugs.” [CNBC, [8/16/22](#)]

August 2022: Lawler Called Build Back Better A “Progressive Pipedream” That “Incorporated A Lot Of The Green New Deal Into It.” “ASTORINO: “Mike, let me ask you. You’ve got inflation running rampant, right now, people can’t afford it. Let’s talk about that first. What are some of the things that you would do to stop this economy from spinning out of control?” LAWLER: “Well you know, first and foremost I would not have supported the quote unquote Inflation Reduction Act. It is nothing more

than a slimmed down version of Build Back Better which was, you know, the progressive pipedream and incorporated a lot of the Green New Deal into it. Sean Patrick Maloney was a proud original cosponsor, he tells everybody, original cosponsor of the Green New Deal.” [Mike Lawler, Facebook, 07:03, [8/22/22](#)] (VIDEO)

- **Build Back Better Would Have Capped Insulin Copays For Patients On Medicare And Private Insurance Plans At \$35 Per Month.** “The BBBA would require insurers, including Medicare Part D plans and private group or individual health plans, to charge patient cost-sharing of no more than \$35 per month for insulin products. Private group or individual plans would not be required to cover all insulin products, just one of each dosage form (vial, pen) and insulin type (rapid-acting, short-acting, intermediate-acting, and long-acting), for no more than \$35.” [KFF, [11/23/21](#)]

He Even Opposed The Law That Prevents Insurance Companies From Denying Coverage To Millions Of New Yorkers With Pre-Existing Conditions.

October 2013: Lawler Tweeted That “Obamacare [Was] An Absolute Disaster.” Lawler wrote, “After the shutdown two things remain: Obamacare's an absolute disaster and our debt is \$17 trillion. Obama has no plan to address either.” [Mike Lawler, Twitter, [10/17/13](#)]



[Mike Lawler, Twitter, [10/17/13](#)]

2018: 3.2 Million New Yorkers Had A Preexisting Condition That Could Have Led Them To Be Denied Health Insurance If The ACA Was Repealed. “In 2018, 26 percent of all New Yorkers ages 18 to 64 (3,200,000 New Yorkers) and 28 percent of New York women ages 18 to 64 had a preexisting condition that could have denied them health coverage in the individual health insurance marketplace prior to the ACA’s passage – including pregnancy.” [Children’s Defense Fund New York, ACA Repeal Fact Sheet, accessed [11/9/23](#)]

Mike Lawler Message #3 Backup

Mike Lawler has voted repeatedly against a woman’s right to an abortion and even voted for a bill that could allow doctors who perform an abortion to be thrown in jail. And Lawler is part of an extreme group of Republicans that wants to ban abortion in New York, even in cases of rape and incest.

Mike Lawler Has Voted Repeatedly Against A Woman’s Right To An Abortion...

January 2023: Lawler Voted For Blocking Consideration Of The Women’s Health Protection Act. In January 2023, Lawler voted for: “Cole, R-Okla., motion to order the previous question (thus ending debate and possibility of amendment).” According to the Congressional Record, Rep. McGovern said, “Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up the

Women's Health Protection Act.” *A vote for the motion was a vote to block consideration of the bill.* The motion was agreed to by a vote of 211-205. [H. Res. 5, [Vote #21](#), 1/9/23; CQ, [1/9/23](#); Congressional Record, [1/9/23](#)]

- **The Women's Health Protection Act Would Federally Codify Protections From Roe V. Wade.** “As a leaked draft opinion of a Supreme Court ruling shows a conservative majority of justices appear poised to overturn federal protections of abortion rights, Senate Majority Leader Chuck Schumer said Thursday the Senate will hold a procedural vote to begin debate on the Women's Health Protection Act next week. WHPA is a bill that aims to codify Roe v. Wade, the landmark decision that grants protections for a woman's right to abortion, at the federal level. The bill prohibits governmental restrictions on access to abortion services, according to the Congressional Research Service.” [ABC, [5/7/22](#)]
- **Federally Codifying Protections From Roe Would Prevent States From Passing “Full Bans” On Abortion Following The Overturning Of Roe.** “Congressional Democrats have mulled options to guarantee the 1973 Roe v. Wade ruling's protections since a leaked majority draft indicated in May that the Supreme Court would reverse the decision. The majority conservative court indeed overturned Roe last week, sparking nationwide tumult among abortion-rights advocates and celebrations by their anti-abortion counterparts. The reversal returns the power to state legislatures to pass full bans on abortion. The ruling, which stood for nearly 50 years, had nullified broad bans on the procedure and established it as a constitutional right. Now Democrats are pushing to effectively restore that right by ‘codifying’ Roe v. Wade.” [USA Today, [6/30/22](#)]

May 2022: Lawler Voted Against S09039A. In May 2022, Lawler voted against S09039 in a floor vote in the New York State Assembly. [New York State Assembly, S09039A, [5/31/22](#)]

- **S09039A Passed The Assembly By A Vote Of 100 To 49 And Was Signed Into Law.** [New York State Assembly, S09039A, [6/13/22](#)]
- **S09039A Protected “The Rights Of Individuals Seeking Abortion Care Or Gender Affirming Care In New York State.”** “Other bills signed into law today as part of the comprehensive effort to protect reproductive rights in New York include: [...] Freedom from Interference with Reproductive Healthcare Access: S.9039A will protect the rights of individuals seeking abortion care or gender affirming care in New York State. This legislation also creates a civil cause of action for unlawful interference with the protected rights to reproductive healthcare.” [New York State Senator Anna M. Kaplan, Press Release, [6/13/22](#)]

May 2022: Lawler Voted Against S09077A. In May 2022, Lawler voted against S09077A in a floor vote in the New York State Assembly. [New York State Assembly, S09077A, [5/31/22](#)]

- **S09077A Passed The Assembly By A Vote Of 100 To 49 And Was Signed Into Law.** [New York State Assembly, S09077A, [6/13/22](#)]
- **S09077A Prohibited “New York State From Cooperating With Out-Of-State Legal Cases Involving Abortion Except In Limited Circumstances.”** “Other bills signed into law today as part of the comprehensive effort to protect reproductive rights in New York include: [...] Extradition and Discovery Non-Cooperation: S.9077A forbids New York State from cooperating with out-of-state legal cases involving abortion except in limited circumstances.” [New York State Senator Anna M. Kaplan, Press Release, [6/13/22](#)]

- **Defendants From States Where Abortion Was Illegal Could Not Be Extradited Unless “The Defendant Was Present In That State At The Time Of The Alleged Offense And That They Later Fled.”** “For criminal cases, this bill prohibits New York from extraditing a defendant to another state to face abortion-related charges unless the governor of that state alleges in writing that the defendant was present in that state at the time of the alleged offense and that they later fled.” [New York State Senator Anna M. Kaplan, Press Release, [6/13/22](#)]
- **Courts Could Not Comply With Out-Of-State Subpoenas “If The Out-Of-State Case Relates To Abortion Services Legally Performed In New York State.”** “For civil cases, the bill prohibits a New York court from honoring a subpoena request from the court of another state if the out-of-state case relates to abortion services legally performed in New York State. A New York court may still honor an out-of-state subpoena if the case is brought by the patient.” [New York State Senator Anna M. Kaplan, Press Release, [6/13/22](#)]

July 2022: Lawler Voted Against S51002 Which Passed The Assembly By A Vote Of 95 To 45. [New York State Assembly, S51002, [7/2/22](#)]

- **S51002 Sought To Ensure That The State Constitution Anti-Discrimination Provision Applied To All New Yorkers.** “The purpose of this amendment is to ensure that our state constitution extends to all New Yorkers the equality right to be free from discrimination, and in particular those who have faced severe and pervasive injustice. It does so by expanding the list of classes protected by the New York Constitution in recognition of the need for comprehensive and intersectional equality under the law.” [New York State Assembly, S51002, [7/2/22](#)]
- **S51002 Would Add Anti-Discrimination Protections For Disability, Including Pregnancy, To The State Constitution.** “Discrimination with respect to, for instance, disability or pregnancy would include the failure to provide reasonable accommodations. This amendment is intended to promote equality of opportunity for people with disabilities both by banning disability discrimination and by affording enforceable legal rights to people with disabilities. The term “disability” means a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or a record of such an impairment or a condition regarded by others as such an impairment. No person because of disability should be subjected to any discrimination, including but not limited to actions which prevent them exercising their right to live in the community, to lead an independent life, and to be free from institutionalization. Discrimination with respect to, for instance, disability or pregnancy would include the failure to provide reasonable accommodations.” [New York State Assembly, S51002, [7/2/22](#)]
- **S51002 Would Add Anti-Discrimination Protections For Sex, Including Issues Relating To Pregnancy And Abortion, To The State Constitution.** “Further, by including a prohibition on sex discrimination, this amendment inherently prohibits discrimination on the basis of pregnancy, pregnancy outcomes, and reproductive healthcare and reproductive autonomy. The amendment’s explicit clarification however is critical. While federal courts, Congress, and the EEOC have recognized that sex discrimination includes discrimination based on pregnancy (including abortion), a lack of clarity on whether pregnancy discrimination transgresses the federal constitution still exists. See e.g. *Geduldig v. Aiello*, 417 U.S. 484 (1974). This translates into New York law as well. For example, New York State courts have failed to recognize the New York State Patient Bill of Rights as applying to pregnant patients, as well as constitutional and common law protections to privacy, bodily integrity, and medical decision-making throughout pregnancy. See, e.g., *Dray v. Staten Island University Hospital, Order, Genine Edwards, Supreme Court of the State of New York, Kings County*, October 4, 2019. And increasingly across the country in virtually every state, including New

York, women face criminal and civil consequences in relationship to their pregnancies and pregnancy outcomes, including abortions, miscarriages, stillbirths, or other adverse outcomes. This is particularly important for women at the intersection of multiple marginalized identities, namely Black women and women of color, who are not only wrongly seen as less deserving of or fit for motherhood but further experience disproportionate discrimination in our criminal law system and health disparities likely to lead to adverse outcomes that put them under scrutiny and surveillance.” [New York State Assembly, S51002, [7/2/22](#)]

...And Even Voted For A Bill That Could Allow Doctors Who Perform An Abortion To Be Thrown In Jail.

January 2023: Lawler Voted For The “Born Alive-Survivors Protection Act.” In January 2023, Lawler voted for: “Passage of the bill that would require health care practitioners to provide the same care to a child that is ‘born alive’ after an abortion or attempted abortion as they would for a child born at the same gestational age and to ensure the child is immediately transported and admitted to a hospital; require hospital and clinic practitioners and employees to report any knowledge of failures to provide such care; and impose criminal fines and penalties for failures to meet these requirements. It would state that a child born alive under these conditions is a legal person under U.S. law, entitled to the protections of U.S. law, and it would specifically make any act that kills or attempts to kill such a child punishable as murder or attempted murder. The bill would also prohibit the prosecution of the mother of a child born alive after an abortion or attempted abortion and permit such mothers to seek relief through civil action against any person who violates the bill’s requirements, including monetary and punitive damages.” The bill passed by a vote of 220-210. [H.R. 26, [Vote #29](#), 1/11/23; CQ, [1/11/23](#)]

The Bill Would Establish Criminal Penalties For Doctors Who Did Not Follow Existing Federal Law Requiring Medical Care Be Given To Infants In The Very Unlikely Event Of A Failed Abortion. “Live births during an abortion procedure are exceedingly rare, experts said, and federal law already requires that a baby who survives an attempted abortion receive emergency medical care. The new bill would clarify the standard of care to which doctors are held and lay out penalties for violators. Policy organizations supporting abortion rights said the measure was an effort to discourage women from seeking abortions and doctors from performing them.” [New York Times, [1/11/23](#)]

The So-Called “Born-Alive” Bill Would Penalize Doctors Who Violated It With A Fine And/Or Up To Five Years In Prison. “(b) Penalties.— (1) IN GENERAL.—Whoever violates subsection (a) shall be fined under this title or imprisoned for not more than 5 years, or both.” [Congress.gov, HR 26, Text, introduced [1/9/23](#)]

- **New York Times Headline: “House Passes Bill That Could Subject Some Abortion Doctors To Prosecution”** [New York Times, [1/11/23](#)]

HuffPost Reported The Bill Is “Chock-Full Of Misinformation And Creates More Barriers To Care.” “The Born-Alive Abortion Survivors Protection Act, which passed 220-210 on Wednesday, would require physicians to provide life-sustaining care to infants born after an attempted abortion and threatens doctors with criminal penalties if they don’t comply. [...] But similar to other anti-choice legislation, the bill is chock-full of misinformation and creates more barriers to care. Reproductive rights advocates and physicians critical of the bill argue that it’s nearly impossible for infants to be born alive during abortions later in pregnancy. Bills like this are also redundant: Murder is already illegal in the U.S. If that’s not enough, the rights of an infant or newborn are already protected by a 2002 law that codified that infants have the same rights as any other human.” [HuffPost, [1/11/23](#)]

And Lawler Is Part Of An Extreme Group Of Republicans That Wants To Ban Abortion In New York, Even In Cases Of Rape And Incest.

April 2024: Lawler Filed To Run On The Conservative Party Line In The NY-17 Congressional Election. [New York Board of Elections, filed [4/2/24](#)]

The NY Conservative Party Supports Repealing New York’s Law Protecting Abortion Access And Only Allowing Abortion In Cases Of “Clearly Defined Conditions Hazardous To The Life Of The Mother.” “We believe that New York’s expanded abortion law should be repealed and the legislature should re-adopt the prior statute permitting therapeutic abortions only under the most clearly defined conditions hazardous to the life of the mother. Tax dollars should not be used to prevent or end a pregnancy, nor should they be used for non-residents to travel to NY and pay for their abortion.” [Conservative Party of New York State, “2024 Legislative Program,” accessed [1/29/24](#)]

The NY Conservative Party Supports Repealing New York’s Law Protecting Abortion Access And Only Allowing “Therapeutic Abortion” In Cases Of “Clearly Defined Conditions Hazardous To The Life Of The Mother.” “We believe that New York’s expanded abortion law should be repealed and the legislature should re-adopt the prior statute permitting therapeutic abortions only under the most clearly defined conditions hazardous to the life of the mother. Tax dollars should not be used to prevent or end a pregnancy, nor should they be used for non-residents to travel to NY and pay for their abortion.” [Conservative Party of New York State, “2023 Legislative Program,” accessed [12/21/23](#)]

1965: New York Amended Its Statute To Widen Life Of The Mother Exceptions. [New York University Law Review, 66 (6), Samuel Buell, Criminal Abortion Revisited, pg. 1798, [1/1/1991](#)]

¹³⁰ New York amended its statute in 1965 to widen the therapeutic exceptions. See Means, supra note 25, at 498-500. California adopted the most progressive abortion reform in 1967 to close a perceived gulf between the legal and medical standards concerning justifications for abortion. See George, supra note 50, at 393-402 (discussing perceived gulf); Sands, supra note 52, at 286-88 (same); Note, Abortion Reform, supra note 59, at 530-34 (discussing California legislation); Note, Survey of Abortion Reform Legislation, 43 Wash. L. Rev. 644, 644-54 (1968) (discussing California legislation in comparison with Colorado, North Carolina, and Great Britain legislation). Then Governor Reagan signed the bill only after the legislature eliminated a provision permitting abortion of a greatly deformed child. See Note, Changing Abortion Laws, supra note 30, at 496-97. Arkansas, Colorado, Georgia, Maryland, New Mex-

[New York University Law Review, 66 (6), Samuel Buell, Criminal Abortion Revisited, pg. 1798, [1/1/1991](#)]

19th Century: New York Fully Banned Abortion At All Phases Of Pregnancy, And Later Included A “Therapeutic Exception.” [New York University Law Review, 66 (6), Samuel Buell, Criminal Abortion Revisited, pgs. 1784-85, [1/1/1991](#)]

- **Brittanica: A Therapeutic Abortion Can Take Place Because The Pregnancy Endangers The Mother’s Life.** “A therapeutic abortion is the interruption of a pregnancy before the 20th week of gestation because it endangers the mother’s life or health or because the baby presumably would not be normal.” [Encyclopedia Britannica, accessed [12/22/23](#)]
- **One Scholar, Cyrus Means, Argued That Therapeutic Exceptions In New York Were Driven Out Of Concern For The Life Of The Woman.** [New York University Law Review, 66 (6), Samuel Buell, Criminal Abortion Revisited, pgs. 1784-85, [1/1/1991](#)]

prequickening abortion in 1827.⁴¹ And New York adopted its first statute in 1829, elevating postquickening abortion from a misdemeanor to a felony.⁴² Over the next sixty years, other states adopted abortion legislation and increasingly restrictive amendments. By the end of the nineteenth century, every state had criminalized abortion by statute and, with three exceptions, had prohibited it during all phases of pregnancy.⁴³

[...]

the nineteenth century.⁴⁵ New York was the first state to include a therapeutic exception in its statute, and one scholar, Cyril Means, uses this information to argue that New York's legislature was motivated primarily by concern for the woman's life.⁴⁶ In the late 1860s and 1870s, attitudes toward abortion in New York grew increasingly intolerant as the

[New York University Law Review, 66 (6), Samuel Buell, Criminal Abortion Revisited, pgs. 1784-85, [1/1/1991](#)]

1872: New York Passed A Law Increasing Its Penalty For Abortion To Between Four Years And 20 Years Imprisonment. [New York University Law Review, 66 (6), Samuel Buell, Criminal Abortion Revisited, pgs. 1784-85, [1/1/1991](#)]

prequickening abortion in 1827.⁴¹ And New York adopted its first statute in 1829, elevating postquickening abortion from a misdemeanor to a felony.⁴² Over the next sixty years, other states adopted abortion legislation and increasingly restrictive amendments. By the end of the nineteenth century, every state had criminalized abortion by statute and, with three exceptions, had prohibited it during all phases of pregnancy.⁴³

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New York press widely publicized sensational cases of deaths from unskilled abortionists.⁴⁷ The legislature increased the penalty for abortion in 1872 to between four and twenty years imprisonment.⁴⁸

[New York University Law Review, 66 (6), Samuel Buell, Criminal Abortion Revisited, pgs. 1784-85, [1/1/1991](#)]

Dr. Alan F. Guttmacher, On New York's 1970 Legalization Of Abortion: "After 142 Years Of One Of The Most Restrictive Abortion Statutes — Allowing Abortions Only When Necessary To Preserve The Life Of The Mother — New York Suddenly Had The Most Liberal Abortion Law In The World." "Three years before Roe v. Wade established a constitutional right to abortion, New York legalized the procedure in 1970, turning the state into a magnet for women who wanted to terminate their pregnancies but were barred from doing so where they lived. [...] The New York law allowed abortions to be performed within 24 weeks of pregnancy and at any time if the woman's life was at risk. [...] 'After 142 years of one of the most restrictive abortion statutes — allowing abortions only when necessary to preserve the life of the mother — New York suddenly had the most liberal abortion law in the world,' wrote Dr. Alan F. Guttmacher, a birth control pioneer who advocated legalizing abortion, in a 1972 report." [New York Times, [7/19/18](#)]