

*Abortion*  
and the  
**Medical Benefits Plan**  
of the  
**Presbyterian Church**  
**(USA)**

*Presbyterians*  
*Pro-Life*



2008



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Research, Education and Care, Inc.  
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# Part I:

## The Problem and the Current Provision by the Board of Pensions to Offer Relief

### *1. What's the problem?*

*The PC(USA) medical benefits plan creates a moral problem for church members because...*

...Our denomination's Medical Plan pays for any abortion done for any reason, at any time during pregnancy, for members of the Plan and their dependents. This fact is not disputed by Plan administrators.

...It is a mandatory Plan. The Plan is mandatory as part of the Terms of Call for all pastors installed in churches.

...It is a problem that affects every contributing church member, because it is church members' tithes and offerings that pay the dues that provide the abortion coverage.

...Based on the teachings of Scripture and the Confessions of the Church, many Presbyterians have moral objections to their tithes and offerings being used to pay for abortions. They seek a solution that would enable them to support their pastors and churches financially without having their contributions used to pay for abortions.

## ***2. What solution does the PC(USA) Board of Pensions currently offer?***

Recognizing the moral problem for church members, the General Assembly in its 1992 abortion policy called for “procedures by which particular churches may be assured that their mission funds will not be used in violation of conscience on this issue.”

In 1998, the Board of Pensions, responding to the General Assembly’s recommendation, created a new “Relief of Conscience” (ROC) program. It is an administrative procedure that divides the dues paid by churches for medical benefits into two streams.

According to the Board of Pensions, one stream pays for all abortion claims and HMO capitation fees; the other stream is protected from these payments. The Board explains that the dues paid by a church that “formally declares it does not wish any of its dues to be used for abortions”<sup>1</sup> will not be used for abortion coverage. Instead, a portion of the dues from these churches—a dollar amount equal to the cost of abortion claims from the previous year—is deposited in an Adoption Fund of the Board’s Assistance Program. When sufficient funds are available, grants are given to Plan member parents of adopted infants for uninsured medical expenses. The remaining dues from both streams are then combined and used to pay all other medical claims.

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1. General Assembly Minutes, 2000, p. 620.

### ***3. How does a church “formally declare” that it does not wish any of its dues to be used for abortion coverage?***

This is what is required currently by the Board of Pensions:

#### **Step One: A Session Resolution**

Your session will need to approve and date a resolution and send it to the presbytery with a request for certification. Although the Board of Pensions has stated that “there is no recommended form or style of the request to the presbytery,” the sample below consists of wording suggested to a church by Board of Pensions staff.

*That the Presbytery of [your presbytery’s name] grant Relief of Conscience to [your church’s name, your church’s complete address with zip code, PIN—your church’s PIN number], based on their opposition to the Benefits Plan of the Presbyterian Church (U.S.A.) making payments for abortions, and hereby requests the Board of Pensions of the Presbyterian Church (U.S.A.) grant relief.*

#### **Step Two: Presbytery Action and Notification of the Board of Pensions**

After the presbytery has “certified” your session’s resolution, it is then the responsibility of the presbytery to notify the Board of Pensions. The Board of Pensions will acknowledge to the

presbytery and session its receipt of the action taken. Until you receive this formal acknowledgment, you should not assume your resolution has been acted on and that your church is protected from contributing to unrestricted abortion coverage. If you have questions, call the Board of Pensions at 800-773-7752.

## **Part II**

### **Background**

#### ***1. How does the denomination's Medical Benefits Plan work?***

The Medical Benefits Plan of the Presbyterian Church (USA) is designed by the Board of Pensions with the approval of the General Assembly. The Board of Pensions of the Presbyterian Church (USA) is the insurance carrier. Claims are submitted to the Board of Pensions and paid by the Board of Pensions. Although the plan covers any abortion done for any reason at any time during pregnancy, no General Assembly ordered or recommended abortion coverage.

The Plan is a self-funded medical benefits plan and is the Board of Pension's own creation. It is not an ordinary medical insurance program. It applies uniformly to installed pastors across the denomination. All churches pay the dues to provide the coverage for all members wherever they are in the denomination. This is what the Board calls the "community nature of the Plan."

## ***2. Who is covered by the Plan?***

### ***Who pays for it?***

The Plan is mandatory and church members' tithes and offerings are used to pay the dues.

A congregation must provide membership in the denomination's pension and medical benefits plan as a mandatory component of its terms of call for a pastor.<sup>2</sup>

Local churches are not purchasing medical benefits for their pastors. Their dues are pooled to pay for coverage that is available to every member of the Plan.

While the denomination's medical plan is optional for a great number of church employees, it is mandatory for pastors installed in churches.<sup>2</sup> Pastors and their dependents are covered by the Plan. The tithes and offerings of church members pay the dues that fund the plan.<sup>3</sup> The dues the

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2. The Pension Board explains that the mandatory nature of the plan is necessary to the plan's integrity. Nevertheless, for more than 50% of denomination employees, including some categories of ordained clergy, the plan is optional. The list of those for whom coverage is available but not mandatory includes missionaries, licensed and commissioned church workers, directors of Christian education, directors of music, business managers, lay employees of local churches and governing bodies, agencies or other organizations in the church. Supply pastors, institutional pastors, chaplains, ministers at large, and PC(USA) executives are exempted from mandatory coverage. (Information taken from "The Terms of the Benefit Plan," Article III, Section 3.1, 1996, and from "Comparative Statistics, 1991," Office of Research Services, Presbyterian Church (USA), Louisville.)

3. Though all members' contributions are used to pay the dues of the Plan, regardless of their moral convictions, the most recent Presbyterian Panel on abortion showed that at least three quarters of church members are morally opposed to abortion except in cases of rape, incest, serious fetal defect, or endangerment to the mother (Presbyterian Panel Report, Research Services, Presbyterian Church (USA), Louisville, June 1990, p. 25).

congregation must pay to cover the pension and health plan is an amount equal to a percentage of the pastor's annual income.<sup>4</sup> This percentage may change from year to year. Currently it is 31.5%: 11% of the dues goes into the pension fund, 1% into the death and disability fund, and 19.5% into major medical benefits. If a pastor's income is \$60,000, for example, the church will pay a total of \$18,900 in dues to the Board of Pensions—\$6,600 to the pension fund, \$600 to the death and disability fund, and \$11,700 to the medical benefits fund.

### ***3. What abortions does the plan pay for?***

The plan pays for any abortion, for any reason, at any time during pregnancy. Abortion is covered by the denomination's medical benefits plan without limitation even though the Plan itself says that "All medical treatment, services, and supplies must be necessary...."<sup>5</sup> in order to be covered. However, a member of the Board of Pensions Benefits Services Department wrote that "When a bill is received for reimbursement for an abortion, the Board assumes it is 'medically necessary.'"<sup>6</sup> In an email message of April 8, 1998, John Detterick, then President of the Board of Pensions, said "The simple fact is that the medical plan pays for elective abortions as ordinary medical payment.... At a medical level, this follows several assumptions. There is the assumption that the claim has a legal basis;

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4. Total income equals salary plus housing allowance and any deferred compensation.

5. "Major Medical Benefits, Benefits Plan of the Presbyterian Church (USA)," 1996, p. 28.

6. Letter from Gweneth A. Holmes, Manager, Benefits Services Department to Rev. M. Anderson Sale, Nov. 21, 1988.

that is, that it meets the requirements of the state law in which the procedure was performed. At the level of conscience, the assumption is that the choice was arrived at after careful consideration between a woman and her physician. The guidance from the various church actions giving counsel on abortion and problem pregnancies are a part of that assumption.”<sup>7</sup>

Margaret Mellen, then Senior Vice President of Healthcare, wrote in January 2001, “We anticipate handling coverage for RU-486 no differently. If a Plan member calls for information about the drug, the Board’s staff and those of our third party administrators will be able to advise the caller that it is a covered expense and explain how benefits will be paid.”<sup>8</sup>

The Terms of the Benefit Plan lists thirty limitations and exclusions from coverage. Abortion is not mentioned in either category.<sup>9</sup> Even “partial birth abortion,” is neither limited nor excluded by the Plan’s coverage, although the 1997 General Assembly said “‘partial birth abortion’...should be considered only if the mother’s physical life is endangered by the pregnancy.”<sup>10</sup> The Board of Pensions also does not screen claims to determine if the abortion coverage requested is for a late-term viable baby in spite of the 2006 General Assembly statement that “viable babies—those well developed enough to survive outside the womb if delivered—ought to be preserved and not aborted.”<sup>11</sup>

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7. Letter from John Detterick to Mr. and Mrs. Doug Syring, March 20, 1998.

8. E-mail correspondence from Margaret Mellen, Senior Vice President Healthcare, Board of Pensions, Oct. 12, 2000 and January 2, 2001.

9. Benefits Plan, 2007, pp. 44-47.

10. Minutes of the General Assembly, PC(USA), 1997, p. 65.

11. Minutes of the General Assembly, PC(USA), 2006, p. 905.

#### ***4. Does the Plan cover any abortions that the General Assembly's policy says are immoral?***

Yes. The 1992 abortion policy says that “Abortion is not morally acceptable for gender selection only or solely to obtain fetal parts for transplantation.” The policy says that “We affirm that abortion should not be used as a method of birth control,” that “it is preferable for [abortion] to happen earlier rather than later,” and “abortion ought to be an option of last resort.” It says that Presbyterians have “agreement that taking human life is sin.” While the policy says that Presbyterians hold “varying points of view about when human life begins,” it is notable that all but one of those points of view apply to the child in the womb.<sup>12</sup>

Presbyterian Research Services found in a survey they did in 1990 that two-thirds of Presbyterians identify the beginning of a human life at some point before birth, and that approximately one-third of the Presbyterian respondents to their survey believe that human life begins at conception.<sup>13</sup> The clear conclusion from the abortion policy is that for those who hold that human life begins before birth, paying for unrestricted abortion coverage is immoral.

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12. Quotations are taken from the General Assembly's policy on Problem Pregnancies and Abortion, 1992, pp. 10-11.

13. Presbyterian Panel on Abortion, PC(USA) Research Services, Louisville, KY, June 1990.

# Part III:

## Some of the History that Led to the Current “Relief of Conscience” Provision of the Board of Pensions

- **1987: Abortion Coverage Revealed**

Arthur Ryan, then President of the Board of Pensions, revealed the unrestricted abortion coverage of the medical benefits plan in a letter of response to a pastor. The coverage was not stated in the Plan documents at the time.

- **1991: Appeal through Church Courts; General Assembly forms “Conscience Committee”**

As a matter of conscience, the session of Latta Memorial Presbyterian Church in Christiana, PA withdrew from the medical portion of the benefits plan and obtained alternative coverage for their pastor and his family from an insurance company that did not cover abortions. As a result, the presbytery found the church to have failed to meet the minimum terms of call.

The church originated an overture (91-72), which was sent by the presbytery to the General Assembly requesting “...some method of providing relief for congregations who object, as a matter of conscience, to participation in the denominational medical plan to the extent that it funds abortions....”

But Latta Memorial also asked the church courts whether Scripture and the Church’s constitution supported the presbytery’s decision

that payment for abortion was necessary to meet the minimum terms of call for a Minister of the Word and Sacrament in the Presbyterian Church (USA).

The synod court found that “...the complainant has a reasonable basis in Scripture and the Confessions to believe that abortion is the taking of human life. This is a theological position consistent with the Reformed tradition. The Confessions and Scriptures forbid us to participate in the wilful taking of human life...” and that “presbyteries and the General Assembly ...must allow for relief from mandatory participation in the Board of Pensions’ medical plan for those who...believe that abortion is the taking of human life.”<sup>14</sup>

Also in 1991, responding to Overture 91-72, the General Assembly acknowledged a need for relief and formed a “Conscience Committee.”

**• 1992-1995: New abortion policy adopted by G.A.; Conscience Committee recommends and Board of Pensions adopts “Capture of Dues” process**

In 1992, the General Assembly adopted a new abortion policy that urged church entities to “affirm procedures by which particular churches may be assured that their mission funds will not

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14. Decision of the Permanent Judicial Commission of the Synod of the Trinity of the Presbyterian Church (USA) in the Remedial Case 274-1, George L. Wilson, et al, Complainant v. Presbytery of Donegal, Respondent, September 29, 1992. Donegal Presbytery appealed the decision to the General Assembly Permanent Judicial Commission. Without commenting on the synod decision, the G.A.-PJC ruled that the medical benefits plan is mandatory and no exceptions will be made.

be used in violation of conscience on this issue [abortion].” (p. 16)

That same year the “Conscience Committee” rejected options to provide separate plans, to provide an optional rider, to require those submitting claims for payment for abortion to file a statement concerning the medical necessity of the abortion, to drop abortion coverage, to allow churches to opt out of the medical plan, or to use an outside fund source to pay for abortions.

Instead, the committee recommended, and the 1992 General Assembly adopted, a method called “Capturing Dues for Alternative Use.”<sup>15</sup>

The first effort to provide relief set aside a small portion of dues from churches whose dues were “captured,” but the tithes and offerings of all church members continued to go into the pool from which all abortion costs were paid. Those Presbyterians who had been protesting forced participation in the medical benefits plan found the “Capture of Dues” process completely ineffectual in providing relief of conscience.

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15. Under the 1992 provision for “captured dues,” when their request was granted by the presbytery, an actuarially determined percentage of their dues was “captured” and set aside for what the Board called “an alternative use.” The amount set aside was an approximation of the percentage of dollars spent in the preceding year on abortions relative to the total number of dollars spent on all medical claims. For example, if in 1993 a pastor’s income was \$40,000, the local church was required to pay \$6,400 (16% of the total income) in dues to cover the medical plan. To determine how much would be captured, the \$6400 was multiplied by 0.024% (a percentage based on the cost of abortions paid for in the previous year). The resulting amount of \$1.53 was then set aside into a special fund. The special fund was not earmarked for any specified purpose but could be used only for already-covered benefits of the medical plan.

**• 1993-1996: Overtures in reaction to the Plan's abortion coverage continue; The Board of Pensions tries a revised "Capture of Dues" process**

1993: Overture 93-60: "On eliminating from the medical plan payment for abortion except in cases of medical emergency, rape, or incest"

1994: Overture 94-98: "On providing relief of conscience to the requirement of participation in a medical plan that pays for abortion"

1996: Overtures 96-68; 96-112: "On directing the Board of Pensions to provide a medical benefits plan which will not pay for abortions"

In 1996 the Board of Pensions adopted a revised "Capture of Dues" program. It was the second attempt by the Board to provide relief, and was met with rejection again. William A. Brafford, Presbyterian elder and federal court attorney, who was part of a Presbyterians Pro-Life team that met with the Board of Pensions in 1995, said of the new proposal: "This is the second time the Board of Pensions has adopted a 'relief of conscience' measure which is acceptable mainly to those who do not have conscientious objections to abortion." Once again, no church member's contributions were protected from paying for unrestricted abortions.

During this period, staff of the Board of Pensions received inquiries as to why they did not act to bring their benefits program into line with the General Assembly's abortion policy by limiting or excluding coverage. They answered that they would change their policy only in response to a specific directive from the General Assembly.

In the summer of 1996, the General Assembly responded to the new overtures by acknowledging “the serious and urgent concern of those relief of conscience congregations and individuals.” They recommended that the Board of Pensions engage in “vigorous efforts in the following areas: a. review other denomination’s medical benefits plans; b. investigate alternative coverage; c. pursue open, substantive, and responsive dialogue with relief of conscience congregations, individuals, and other Presbyterian entities requesting a hearing;...present a detailed report at the 210th General Assembly (1998) as to how the ‘dues stream process’ is or is not protecting relief of conscience moneys from funding abortions.”<sup>16</sup>

• **1998: Board of Pensions makes third try**

In 1998, the Board of Pensions instituted its third effort to provide relief, called the “Relief of Conscience” program. John Detterick, then President of the Board of Pensions, in commenting on the new program, called the former efforts at providing relief “symbolic.” (For a description of this third effort, see page 4, “What Solution does the Board of Pensions currently offer?”)

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16. Minutes of the 208th General Assembly (1996), page 56.

# Part IV:

## What A Particular Church Can Do

**1. Submit a resolution to your presbytery for relief from use of your members' tithes and offerings to pay for abortions in our denomination**

See resolution suggestion on page 5 of this booklet.

**2. Continue the specific appeals to General Assembly to limit or eliminate abortion coverage in the PC(USA) medical benefits plan.**

A suggested overture model appears on the next page. If you would like to discuss other overture possibilities, you are invited to contact PPL by phone, email or mail.

*PPL exists as a resource to local churches in the Presbyterian Church (USA). Let us know how we can be of help to you on the issues of life and death.*

## *Suggested Overture*

### **Protect Presbyterians from the sin of complicity in the taking of human life through abortion**

**Resolved**, that the Presbytery of \_\_\_\_\_ overtures the \_\_\_ General Assembly (200\_) to protect Presbyterians who believe abortion is sin, from the sin of complicity in the taking of human life by directing the Board of Pensions to provide a medical benefits plan which will not pay for abortions, except that any procedure necessary to save the physical life of the woman will be covered.

#### **Rationale**

The current PC(USA) abortion policy says that “Presbyterians hold varying points of view about when human life begins,” and lists “The five most common viewpoints,” four of which hold that human life begins before birth, and says that “taking human life is sin” (from the *Report of the Special Committee on Problem Pregnancies and Abortion*, adopted as policy by the General Assembly, 1992, section E.1.n., p. 11).

The Presbyterian Panel of 1990 found that between 58% and 65% of Presbyterians, polled separately as members, elders, pastors and specialized clergy, hold that human life begins at some point before birth (Presbyterian Panel, June 1990, results from Question 15, page A-6).

Therefore, for those who hold that a human life has already begun before birth, abortion would be the taking of that human life.

Further, the PC(USA)’s medical benefits plan will pay for any abortion for which a medical claims form is submitted, and the Plan is a mandatory part of the terms of call for all installed pastors. The Board of Pensions’ policy of reimbursement for abortion therefore results in requiring a significant number of Presbyterians to pay for what they believe is the taking of a human life and therefore, in the words of the denomination’s abortion policy, “to sin.”

Scripture teaches our responsibility to help brothers and sisters avoid sin (Matt. 18:6; Rom. 1:32); and current General Assembly abortion policy makes no provision for abortion coverage by the church’s medical benefits plan.

# Appendix:

## A Note About Conscience

Conscience has been at the center of the dispute over the abortion coverage by our denomination's mandatory medical benefits plan. Many pastors and church members find their consciences violated not only by being a part of a denomination that gives moral approval to abortion, but also by the mandatory nature of the medical benefits plan that covers unrestricted abortions. The latter means that, without an effective alternative provision, a portion of our tithes and offerings to the Church are used to pay for abortions.

There are various uses of the word "conscience" in the Church today. One use emphasizes a personal sense of right and wrong derived from a situation, without a clear grounding in Scripture. Another emphasizes an effort to adhere to a straightforward teaching of Scripture applied to a situation. During the discussions of providing relief of conscience, some Presbyterians argued that their consciences were violated by abortion coverage and some argued that their consciences would be violated if abortion coverage were to be removed.

The Scripture and our constitutional confessions are clear that we are not free to declare that any belief we hold is legitimately an expression of Christian conscience. Christian conscience is that which is bound by Scripture alone. The significant conflict is always between God as Lord of conscience and personal rationalization as Lord of

conscience. The necessity of Scripture is expressed in a quotation from the Westminster Confession included in the “Foundational Principles” of our Presbyterian system. Our *Book of Order* quotes the confession: “God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his word, or beside it, in matters of faith or worship.” [G-1.0301(1)(a)]

In Part I of our denomination’s constitution, *The Book of Confessions*, the Second Helvetic Confession invokes 2 Peter 1:20 (“no prophecy of scripture is a matter of one’s own interpretation....”) to declare that “the Holy Scriptures are not of private interpretation.” (5.010) It is, therefore, not sufficient to argue for relief of conscience on the basis of personal conviction. The Westminster Confession of Faith teaches that every human opinion, whether individual or corporate, must “be examined” by “the Holy Spirit speaking in the Scripture.” (6.010)

Our Church constitution requires that to be faithful in exercising conscience, we hold our personal and private beliefs up to the scrutiny of Scripture.<sup>17</sup> One of the best examples of the distinction between the private conscience of what feels right or good, and the conscience bound by God’s word is the Pennsylvania church court case initiated in 1991. The defendants based their case on Scripture and the confessions, and not on private

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17. See the Scots Confession, 3.20, “So far then as the council confirms its decrees by the plain Word of God, so far do we reverence and embrace them...,” etc; the Second Helvetic Confession, 5.011-5.013, “Wherefore we do not permit

conscience. The synod court in Synod of the Trinity, before whom the case was presented, was the only court that issued its decision based on the case made from evidence. They said, "...the complainant has a reasonable basis in Scripture and the Confessions to believe that abortion is the taking of human life. This is a theological position consistent with the Reformed tradition. The Confessions and Scriptures forbid us to participate in the wilful taking of human life...." The change in our denomination's position on abortion in the 1980's, which finds abortion to be an acceptable moral decision, has never been validated constitutionally.

Christian conscience has its basis in the Scripture. In the case of abortion, the Christian conscience has its basis in the strong thread through Scripture that warns against the spilling of innocent blood.

Those who base their opposition to abortion on the teaching of Scripture do so with the support of the weight of the interpretation of the Christian Church historically. There is a consistency between the plain teaching of Scripture in both Old and New Testaments, the historic teaching of the Christian Church, and the personal convictions of Presbyterians today seeking relief of conscience.

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ourselves, in controversies about religion or matters of faith, to urge our case with only the opinions of the fathers or decrees of councils; much less by received customs, or by the large number of those who share the same opinion, or by the prescription of a long time. WHO IS THE JUDGE? Therefore, we do not admit any other judge than God himself, who proclaims by the Holy Scriptures what is true, what is false, what is to be followed, or what to be avoided...."

*The Constitution of the  
Presbyterian Church (USA)  
and the Matter of Conscience*

“God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it in matters of faith or worship.” and, “... All synods or councils since the apostles’ times, whether general or particular, may err, and many have erred; therefore they are not to be made the rule of faith or practice, but to be used as a help in both.”

• **The Westminster Confession  
of Faith, 6.109, 6.175**

“... no opinion can be either more pernicious or more absurd than that which brings truth and falsehood upon a level, and represents it as of no consequence what a man’s opinions are. On the contrary, we are persuaded that there is an inseparable connection between faith and practice, truth and duty. Otherwise, it would be of no consequence either to discover truth or to embrace it.”

• **Book of Order, G-1.0304**

“... all church power, whether exercised by the body in general or in the way of representation by delegated authority is only ministerial and declarative; that is to say, that the Holy Scriptures are the only rule of faith and manners; that no Church governing body ought to pretend to make laws to bind the conscience in virtue of their own authority; and that all their decisions should be founded upon the revealed will of God.”

• **Book of Order, G-1.0307**

*“... fight the good fight,  
having faith and a good  
conscience. By rejecting  
conscience, certain  
persons have suffered  
shipwreck in the faith....”*

• I Tim. 1:18,19

**This booklet is a resource  
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***Presbyterians Pro-Life***

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