Suits demands La. pay for Medicaid abortions

By The Associated Press

NEW ORLEANS — Abortion rights activists filed suit Wednesday to force Louisiana to pay for abortions for poor women who become pregnant as a result of rape or incest.

"By refusing to comply with federal Medicaid law, Louisiana state officials are playing politics with the lives and health of women who have already been traumatized by rape or incest," said Sihon Heller, lawyer for the Center for Reproductive Law & Policy, a New York-based organization that filed the suit.

Rusty Laboux, spokesman for state Attorney General Richard Levy, said Levy's staff is reviewing the suit. It was unclear when they would be ready to comment.

Andrea Miller, spokeswoman for the center, said the organization also has sued Arkansas, Colorado, North Dakota and Pennsylvania for refusing to follow federal Medicaid rules that took effect Friday. Also, she added, other abortion rights supporters have sued Michigan and Montana.

In December, the Clinton administration ordered states to begin paying for Medicaid abortions in cases of rape or incest after March 31 or risk losing billions in Medicaid funding. Medicaid is a joint federal-state program.

Louisiana is among the states which refused to comply with a federal order to begin paying for abortions for poor women who are victims of rape or incest.

"As a state agency we don't have a choice. Louisiana law says we can't do it," Joe Wagner, spokesman for the Louisiana Department of Health and Hospitals, said Friday.

Wagner said the Legislature could change the law, but he did not know if it will even consider the issue this year.

In 1991, the Legislature passed what was then considered the nation's toughest anti-abortion law. It was vetoed by then-Gov. Buddy Roemer, who said the bill's exceptions for rape and incest victims were too tightly drawn to ensure that the victims would really be able to get abortions. Lawmakers overrode Roemer's veto, but the U.S. Supreme Court eventually struck down the law.