

# **USCCB welcomes conscience protections for health care workers**

WASHINGTON - The rights of doctors, nurses and other medical personnel who do not want to be involved in abortion and sterilization procedures for religious or moral reasons would get a boost under new rules proposed by the U.S. Department of Health and Human Services.

Announced Aug. 21, the regulations are designed to increase awareness of three laws already on the books, the first dating to 1973, regarding conscience protection for health care workers. Hospitals and other health care institutions that receive federal funds would be covered by the regulations as well.

"The proposed regulations are absolutely essential," said Deirdre McQuade, assistant director for policy and communications in the Office of Pro-Life Activities of the U.S. Conference of Catholic Bishops. "These regulations are implementing long-standing laws on the books. They're not expanding those laws, they're not changing them, they're not introducing new material except to raise awareness about their existence."

The rules would cover a wide range of activities, from full-scale participation in a procedure to the cleaning of instruments afterward, McQuade explained.

In introducing the regulations, Health and Human Services Secretary Mike Leavitt said in a statement that compliance with the existing laws would likely increase because the threat of the loss of federal funds is being held out as a possible penalty.

"Doctors and other health care providers should not be forced to choose between good professional standing and violating their conscience," Leavitt said. "Freedom of expression and action should not be surrendered upon the issuance of a health care degree."

Specific provisions of the regulations:

- Clarify that nondiscrimination protections apply to health care institutions

receiving federal funds through Health and Human Services as well as to individual employees at those institutions.

- Require federally funded institutions to certify that they comply with laws protecting provider conscience rights.
- Designate Health and Human Services' Office for Civil Rights to receive discrimination complaints from health care workers who may have been forced to participate in an abortion or sterilization.
- Call for Health and Human Services officials to work with any state or local government or other entity violating the law to encourage voluntary steps ensuring that the laws are followed. Should violations continue, officials would be allowed to seek legal remedies, including federal funding cuts and the reimbursement of funds when violations have occurred.

The regulations have been published in the Federal Register and are open for comment through Sept. 20.

The USCCB is preparing to formally support the rules, according to McQuade.

The issue of conscience protections has taken on increasing significance in recent years as some health care workers have felt coerced to provide services that are in conflict with their moral values or religious beliefs. McQuade believes the regulations will reduce the pressure on workers in some settings.

"Conscience rights have been under attack for a number of years," she said. It's coming to a head and resisting these very basic common-sense-affirming regulations just shows how extreme the pro-abortion lobby has become. You'd think if they are pro-choice they are also pro-choice in the choice of a doctor or nurse to be involved."

In a July 18 letter to members of Congress, Cardinal Justin Rigali of Philadelphia, chairman of the bishops' Committee on Pro-Life Activities, urged all senators and representatives to support conscience protection measures after an earlier version of the regulations was leaked to the media. Cardinal Rigali identified the previous laws enacted by Congress, but noted that regulations regarding their enforcement were never adopted.

“Relatively few policymakers or health care personnel are even aware that these laws exist, which means that some institutions may be violating them without even knowing it, and others who are victims of discrimination may not know that they have legal recourse,” Cardinal Rigali wrote.

Rep. Chris Smith, R-N.J., co-chairman of the U.S. House Pro-Life Caucus, welcomed the regulations as well.

“No one should be denied a residency or job, or be passed over for a promotion or pay raise because of a deeply held moral belief that abortion kills children and hurts women,” Smith said in a statement released Aug. 22.

At the same time, Smith said individual patients should have the option “to choose doctors who reflect their views on abortion.”

“Health care professionals who respect human life should not be driven from the medical field,” he added. “Most doctors enter the obstetric field because they care about saving life, nurturing and healing. If they find abortion to be the antithesis of medical practice, that is their right and our laws need to protect their right to practice only life-affirming, life-protecting medicine.”