

On March 10, 2009, the U.S. Department of Health and Human Services (HHS) issued a proposal to **rescind** the Bush Administration December 2008 conscience protection regulation.

Over the past 35 years, Congress has enacted many laws to protect rights of conscientious objection in health care. Three (3) such laws -- enacted by Congress in 1973, in 1996, and in 2004 and subsequent years as an appropriations rider -- were clarified and enforced through the (Bush) rule issued by HHS on December 18, 2008. The 3 laws are:

- 1973 Church amendment
- 1996 Law protecting health care entities that decline involvement in abortions for any reason.
- 2004 Hyde/Weldon Conscience Protection Amendment

A description of these laws may be found at www.usccb.org/prolife/Dec08fedconslaws.pdf.

The March 10 action by HHS is to **RESCIND** each of these laws. The rescission proposal was published in the *Federal Register* on March 10. To read, go to www.nchla.org/docdisplay.asp?ID=233. **The public has until April 9 to submit comments.**

Pro-abortion groups are trying to flood HHS with comments attacking conscience rights. Their chief message: Rescind the regulation because conscience clauses (which they call "refusal" or "denial" clauses) interfere with women's "access" to health care. These groups want to force doctors, nurses and hospitals to violate their consciences or leave the profession. **The Catholic community and others must speak out so this will not happen.** Talking points:

- Religious liberty and freedom of conscience have been building blocks of our society since its founding. We respect conscientious objection for those opposed to war, physicians opposed to taking part in capital punishment, and others who object to involvement in the taking of life. We can do no less in the context of abortion.
- Conscience protection does not threaten access to health care. Allowing health care providers to serve the public without violating their consciences *protects and enhances* access to health care, by ensuring continued participation by some of our most dedicated health professionals. Catholic and other faith-based providers are specially called to serve the poorest and most vulnerable, from the inner city to remote rural areas -- if they are driven away, who will replace them?
- Abortion, in particular, cannot be seen as "standard" health care. Most physicians, nurses and hospitals choose *not* to provide abortion, and the Hippocratic Oath that established medicine as a profession has rejected abortion for many centuries. Forcing health professionals to be involved in abortion against their will shows a distorted sense of priorities -- one that will irreparably damage the healing professions and undermine efforts to work together for health care reform.

All CDA members are encouraged to submit comments. Health care professionals (hospital administrators, physicians, pharmacists, nurses, technicians, and the like) should submit examples or personal experiences where discrimination was or is a concern.

ACTION: Please write now urging the Administration to retain the regulation protecting conscience rights! April 9 is the deadline for accepting comments.

- Comments can be submitted electronically by e-mail to proposedrescission@hhs.gov, or online through www.Regulations.gov (check "Select to find documents" and then enter

- "Rescission Proposal").
- Comments may be mailed (one original and two copies) to: Office of Public Health and Science, Department of Health and Human Services, Attention: Rescission Proposal Comments, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Room 716G, Washington, DC 20201.
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Per the formal proposal, "All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following Web site as soon as possible after they have been received: <http://www.Regulations.gov>. Click on the link "Comment or Submission" on that Web site to view public comments."

SUGGESTED MESSAGE (for those who do not have specific examples or personal experiences):
"Please retain the conscience regulation, and enforce the laws protecting the right of health care providers to serve patients without violating their moral and religious convictions. The government has a special responsibility to ensure that the conscience rights of health care providers are fully protected."

NOTE: It is essential that our members, as well as family and friends, send comments to the HHS. What will happen if this proposed rescission actually occurs? It will affect every Catholic profession in the health care industry, including the operation of Catholic hospitals and clinics.

When writing to HHS, write as a personal individual -- not as a member of Catholic Daughters of the Americas. ***Send comments NOW -- April 9 is the deadline HHS will accept comments.***

Helen Johnson, Chair
National Legislative Committee
Catholic Daughters of the Americas
Pre-approved: Libby Ramirez, National Regent