

**CONTACT:** Kevin Eckery, 916-443-2528 or [keckery@eckery.com](mailto:keckery@eckery.com)

## **Lawmakers Introduce Civil Rights Bill to Prevent Discrimination Against Health Care Workers**

*CA Alliance of Catholic Health Care Applauds Effort to Protect Hospitals, Clinics and Health  
Care Workers from Coercive Measures that Violate Conscience*

**SACRAMENTO** – The Alliance of Catholic Health Care applauded the introduction of new bipartisan federal civil rights legislation that would protect all hospitals, clinics and health care workers from being forced to perform or support abortions in violation of their rights of conscience.

"Government should never force health care workers to choose between violating their consciences or losing their jobs, and hospitals should never have to choose between violating their mission or closing their doors," said Bill Cox, President & CEO of the Alliance, which represents all four California-based Catholic health care systems and their 53 hospitals.

**The Abortion Non-Discrimination Act of 2011 (H.R. 361)** is sponsored by Rep. John Fleming (R- LA), a Shreveport physician, and Rep. Dan Boren (D-OK). The bill covers health care entities across the board – ranging from hospitals, doctors and nurses to insurance payers. Its comprehensive language protects entities from being forced by government agencies to perform or participate in abortions, provide abortion training, pay for abortions, or make referrals for abortions or abortion training.

"This bill is about tolerance. Most Americans have long believed the government should not use its power to force conscientious objectors to participate in combat, to compel doctors opposed to capital punishment to participate in state-sanctioned executions, or to force health care institutions and providers of any kind – Catholic, non-Catholic or non-sectarian – to violate their rights of conscience by performing or paying for abortions," Cox added.

The legislation seeks to strengthen existing protections by making them permanent under statute and by providing remedies, such as the private right to legal action, that are more enforceable. The urgent need for enhanced federal protection is underscored by threats that include:

- A federal court filing by the Obama Administration late last year indicating that the Department of Health and Human Services may rescind existing conscience protections as early as January 2011.
- Ongoing efforts by public officials in California to force Catholic and other health care providers to perform or pay for abortions. These include a lawsuit by the California attorney general (*Lockyer v. United States of America*) to have a federal conscience-rights law declared unconstitutional, and proposals (in 2008 & 2010) by the California Department of Managed Health Care to compel Catholic and other health care employers to cover abortions in their health insurance plans.
- A requirement by Vanderbilt University's nurse residency program to require nurses in the women's health track to participate in abortions. The policy was rescinded this past

**(MORE)**

week, but no effective federal protection exists for nurse trainees' ability to defend their rights in court should it be reinstated or replicated.

- The suspension of nine nurses at Nassau County Medical Center on Long Island for failure to participate in a non-emergency abortion, even though each nurse had a letter in their personnel file giving them an exemption from participating in an abortion.
- A New York City requirement that gynecology residents training in the city's public hospitals be forced to train in abortions.
- A decision by the Alaska Supreme Court forcing a private, non-sectarian hospital to perform abortions.
- The state of Connecticut's refusal to grant a Certificate of Need to a surgical center because it refused to perform abortions.

"It's fitting that this legislation be introduced after we recently paused to celebrate the legacy of Dr. Martin Luther King Jr. For more than 40 years, the nation has amassed a history of civil rights protections and a spirit of tolerance to guard against discriminatory acts by individuals and governments. Civil rights protections and government respect for health care entities and their fundamental rights of conscience must be an important aspect of this struggle," Cox said.

The Alliance of Catholic Health Care represents California's Catholic health care systems and hospitals. There are 53 California Catholic and community-based affiliated hospitals providing nearly 16 percent of all California in-patient acute care. The Catholic health care systems participating in the Alliance include Catholic Healthcare West (San Francisco), Daughters of Charity Health System (Los Altos Hills), Providence Health and Services (Southern California), and the St. Joseph Health System (Orange).

#####