

## Restore broad conscience protections

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Published by *National Right to Life News*

March 9, 2011



Writing in the Huffington Post, Third Way executive Lanae Erickson tries to make the case with a straight face that the Obama administration's gutting of the only federal regulation protecting pro-life physicians illustrates "the nuanced, respectful, common-ground approach that President Obama and his administration have long taken on the divisive issue of abortion." She contrasts that with the "myopic approach illustrated by the House attack on Planned Parenthood."

In fact, there is hardly enough "common ground" in the Obama administration's approach to abortion and conscience for a single pro-life healthcare professional to stand on.

Over the past three decades, Congress has carefully passed--on a truly common-ground, bipartisan basis--three conscience-protecting civil rights laws to protect the broad exercise of conscience liberties in healthcare.

As Thomas Jefferson expressed the views of our founders on protecting the broad exercise of such civil rights, "The rights of conscience we never submitted, we could not submit. We are answerable for them to our God."<sup>i</sup>

Yet President Obama's pro-abortion Department of Health and Human Services (HHS) stripped those conscience protections down to the most un-nuanced, ideologically partisan and myopic interpretation possible of existing civil rights laws.

Incredibly citing a need to correct confusion allegedly caused by a 2008 conscience-protecting regulation, the administration

eliminated the very definitions in that regulation that provided clear and concrete objective application of the civil rights laws. Those definitions included what constitutes "discrimination"; what it means to "assist in the performance of abortion"; what is a "health care entity" and who within a healthcare institution "workforce" enjoys protection under the law. Without those definitions, the pro-abortion Obama administration now claims sole discretion to subjectively decide all these questions for pro-life healthcare professionals.

Good luck with that.

Lanae Erickson also repeats the administration's bizarre rationale that the 2008 conscience regulation had to go because conscience laws are not designed to shield "someone who doesn't want to give medical treatment to gay people or another group whose behavior they simply don't like."

Well, of course the laws don't allow such discrimination, the 2008 regulation never suggested the laws allowed it, and virtually no one in medicine holds such a view. In fact, faith-based physicians are among those few remaining healthcare professionals who actually make it their life mission to treat AIDS patients, poor patients and patients in medically underserved areas and populations. The same conscience that prompts these professionals to protect human life at all stages of development also prompts them to care for the outcasts, the marginalized and the poor.

But such medical outreach will end if radical abortion ideologues have their way.

Severely limiting conscience protections will force pro-life and faith-based professionals out of medicine. A national survey conducted by Freedom2Care revealed that 92 percent of faith-based physicians say they will leave medicine absent the conscience protections that protect them from discrimination and the pressure to do harm.

The only "common ground" that will avoid this catastrophe for poor and marginalized patients is to restore the broad conscience protections that our founders cherished and three decades of Congresses sought to implement through civil rights laws.

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<sup>i</sup> Notes on the State of Virginia (1787), Query 17, p. 159, ed. William Peden (1954).