



## Advocacy on Your Behalf: Protecting Conscience in Healthcare

Respect for conscientiously held beliefs of individuals and for individual differences is an essential part of our free society. The right of choice is foundational in our healthcare process, and it applies to both healthcare professionals and patients alike. Issues of conscience arise when some aspect of medical care conflicts with the personal beliefs and values of the patient or the healthcare professional. Made in the image of God, we are endowed with a conscience that enables us to know and respond to moral truth. We should strive for what is good and avoid complicity with evil. To live by conscience is to live with integrity, with pure hearts and transformed minds that seek God's will and strive to love Him and our neighbor.

As Christians in healthcare, we have witnessed or experienced the gradual erosion of healthcare conscience protections in our society. Our increasingly amoral society is pressuring more healthcare professionals to choose between their careers and their conscience, ethics and faith. We should pray for wisdom to discern and separate ourselves from associating with the evil actions or intentions of others—even our employers.

Key findings from CMDA's 2019 survey of 1,732 healthcare professionals found:

- **76 percent** of those surveyed in certain specialties have noticed or experienced increased pressure to compromise their moral, ethical or religious beliefs in their practices.
- **33 percent** of healthcare professionals have been pressured, forced or punished to refer a patient for a procedure to which they had moral, ethical or religious objections.
- **91 percent** of respondents reported they "would rather stop practicing medicine altogether than be forced to violate [their] conscience."

A decreased representation of ethical and moral practicing healthcare professionals is *dangerous* to healthcare and patients.

### Calling on Angels

Policies are needed to help protect future generations of healthcare professionals from being forced to participate in procedures that violate their conscience.

Recognizing the increased need to ensure protections, CMDA collaborates with Alliance Defending Freedom (ADF), other like-minded organizations, various state legislators and governors to introduce and pass legislation supporting healthcare right of conscience protections in several states. Some bills provide comprehensive freedom of conscience protections against performing or assisting in abortion, assisted suicide, gender-affirming therapies, etc. Other states may have limited or incremental protections based on what that state legislature and environment will tolerate at the time. In some states, that ADF legislation is called the **Medical Ethics and Diversity (MED) Act**. The MED Act protects diversity of belief within the medical profession and benefits patients by protecting the supply of healthcare professionals and healthcare entities within the healthcare system. Such conscience protections could include safeguarding from having to train for, participate in, perform or refer for a procedure in which a medical student, resident or healthcare professional has a conscientious objection. The bill does not

permit healthcare professionals, institutions or payers to decline to serve a person based upon their race, color, sex or any other protected characteristic. The bill simply protects healthcare professionals from being required to perform specific procedures.

In collaboration with ADF, state legislators and volunteer state directors, the MED Act has been introduced in several states since 2020. In spring 2021, Arkansas became the first state to pass the MED Act. Since then, the MED Act, or similar conscience protection bills, have been introduced in the following states, with Ohio and South Carolina also having enacted laws:

- Florida – Healthcare Ethics and Liberty Protection (HELP) Act
- Kentucky – Bill failed in 2021; may be reintroduced
- Montana – Bill failed in 2021; may be reintroduced
- Nebraska – Bill introduced in 2022 during short session; will be reintroduced
- Ohio – Signed into law by Governor in July 2021 as part of budget amendment
- South Carolina – Signed into law by Governor in June 2022
- South Dakota – Bill failed in 2022; may be reintroduced
- Texas – Bill introduced in 2021 during short session and failed; will be reintroduced

In its work to advance conscience protections through state legislatures and the courtroom, ADF has filed lawsuits on behalf of CMDA and its members to safeguard healthcare professionals from being forced to perform or participate in procedures that would violate their ethical, professional or religious convictions. ADF has also represented members whose employment has been threatened or terminated due to enacting their conscience objections.

We are grateful for the critical work of ADF that enables healthcare professionals to practice healthcare as it aligns with their ethics and values to uphold the fundamental principles of Hippocratic medicine. These principles include protecting the vulnerable at the beginning and end of life, seeking the ultimate good for the patient with compassion and moral integrity and providing healthcare with the highest standards of excellence based on medical science—and not capitulating to the dictates of our culture.

To learn more about Alliance Defending Freedom and their work, visit [adflegal.org](http://adflegal.org).