

Questions & Answers on “Right to Conscience” Laws

- **What’s wrong with protecting a person’s conscience?**
 - The right of conscience is a fundamental part of human dignity, and all of us here – Democrats and Republicans, care deeply about making sure that no one is forced to violate his or her conscience.
 - However, to be fair, any law protecting the right of conscience must be **even-handed** and protect all sides.
 - The problem with the conscience bill being proposed is that it isn’t fair or even-handed. It only protects people and institutions that want to refuse to give medical care. It provides no protection to the consciences of doctors who want to provide services, or to patients who want to receive them.
 - 99% of American women have used birth control. We have to be sure to protect the 99% who use it – and not just the 1% of Americans – like our friends the Bishops – who object to it.
- **Why shouldn’t institutions and organizations be accorded conscience rights?**
 - Institutions and corporations don’t have feelings and they don’t have consciences either.
 - Let’s take the example of a Catholic hospital. It’s internal rules might require it to follow Catholic teachings, but that doesn’t mean that the building has a conscience – any more than Exxon Mobile has feelings.
 - Of course, employees and patients don’t necessarily agree with every church teaching. They might not even know what those teachings are.
 - 800,000 people – many of them non-Catholics – work at Catholic hospitals nationwide. And one in six hospital patients nationwide is at a Catholic hospital. But when those doctors go to work at Catholic hospitals, they expect to practice medicine, not theology. And when patients go there who are sick, they expect medical treatment, not theology.
- **Doesn’t the Constitution require special protection for religious beliefs?**
 - America has a rich legacy of protecting the freedom of religion.
 - It’s especially important in a religiously pluralistic country like ours, where there are many different Christian denominations, Muslims, Buddhists, Jews, Atheists, Hindus, and of course many other religions.
 - However, the Constitution doesn’t protect every single religious belief.
 - Some people’s religion says eating meat is wrong. Now, the government can’t force those people to eat a steak. But it also doesn’t mean that those vegetarians get to tell everyone else what to eat.
 - Some people’s religion says that violence of any kind is wrong – but that doesn’t mean that they don’t have to pay taxes to support our troops.

- And the fact that some people’s religion prohibits contraception or abortion doesn’t mean that those people are allowed to prevent everyone else from using contraception or accessing abortion services.
- **What’s wrong with the proposed religious exemption to the no-copay-contraception mandate?**
 - The proposed religious exemption to the no-copay-contraception mandate is utterly one-sided.
 - It lets an employer invoke religion to deprive employees of medical coverage, but does not protect employees who want and need coverage.
 - Allowing a religious employer to veto employees’ health benefits means that the employer’s belief trumps the beliefs of employees.
 - No one is forcing the employer to use contraception, and no one should force the employees not to use it.
 - The proposed religious exemption only protects the rights of the 1-2% who do not use contraception; it does nothing to protect the rights of the 98-99% of Americans who use contraception.
- **What’s wrong with the proposed “Respect for Rights of Conscience Act of 2011” (H.R. 1179)?**
 - The “Respect for Rights of Conscience Act” only respects the conscience rights of employers, insurance companies, and hospital corporations. It does not respect the conscience rights of employees and patients – depriving them of necessary medical coverage.
 - The bill would permit a company not to cover any medical care it has a so-called moral objection.
 - For example, a company could refuse to cover pregnancy costs associated with an out-of-wedlock pregnancy. It would allow an insurance company to refuse all coverage for gays or lesbians. And it would allow a doctor to refuse to provide services to a woman, a minority, or an HIV-positive person.
 - The bill would be a disaster for women’s health. It would allow hospitals to block doctors from treating miscarriages and late ectopic pregnancies. Women who need a life-saving abortion could quite literally be left to die, all in the name of “conscience.”
- **What about protections for doctors who object to certain procedures?**
 - Existing law already amply protects doctors, nurses, and other providers who have an objection to performing abortions, sterilizations, and related procedures.
 - The “Respect for Rights of Conscience Act” would go much, much further – leading to untold unforeseen consequences. The bill’s ridiculously broad language would, for example, allow *any* employer or provider to refuse to cover health services for out-of-wedlock pregnancies, health services for gays or lesbians, or any medical coverage stemming from an accident caused by alcoholic intoxication.