CMA Responds After Two Federal Judges Block Conscience Protection Rule

Philadelphia, PA—The Catholic Medical Association is disappointed to learn two federal judges ruled to block The Department of Health and Human Services’ Conscience Protection Rule.

CMA previously expressed its support of HHS’ Conscience Rule, which aims to “protect healthcare providers, individuals, and other health care entities from having to provide, participate in, pay for, or refer for services which violate their conscience.”

“The protection of conscience is essential to the nature of every human life. It is furthermore a critical component of our role as health care workers. Without the freedom to exercise conscience, patients will no longer be able to trust in us never to abandon them,” said CMA President, Dr. John Schirger.

CMA believes the courts' actions violate religious freedom and put the lives of patients at risk.

“The ruling is based in part on a lack of evidence of complaints about the rule. Conscience should be protected in principle and from the outset. It is unreasonable to require violations of conscience before conscience can be protected,” said Barbara Golder, M.D., J.D., Editor-in-Chief of CMA’s Linacre Quarterly.

Back in May of 2019, Co-Chair of CMA’s Ethics Committee, Dr. Marie Hilliard, warned of the importance of conscience rights when HHS initially shared its Conscience Rule.

“Without this protection, healthcare workers cannot be true advocates for our patients, especially if the best interest of the patient is being violated. As Catholic healthcare professionals, we never abandon patients even if it means we must transfer their care if they are requesting a procedure that violates their well-being or our professional integrity. Thus, this final rule is very protective of not only professionals but of the human beings served,” said Dr. Hilliard.

“The patient’s autonomy does not supersede the conscience of a physician. Therefore, the physician must be free to refuse to participate in immoral procedures, and free to refuse to refer to other providers who might be willing to perform such procedures,” said Dr. Lester Ruppersberger, OBGYN and Past President of CMA.

CMA is hopeful the courts will come to understand the need to protect the
conscience rights of healthcare workers in the country and reverse their decisions.

“It must not be forgotten that when a health care professional refuses to perform procedures or recommend therapies based on a conscientious objection, they do so as not to violate or injure the physical, mental or spiritual health of their patients,” said Dr. Greg Burke, Co-Chair of CMA’s Ethics Committee.

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The Catholic Medical Association is a national, physician-led community of over 2,300 healthcare professionals consisting of 109 local guilds. CMA mission is to inform, organize, and inspire its members, in steadfast fidelity to the teachings of the Catholic Church, to uphold the principles of the Catholic faith in the science and practice of medicine.

Jill Blumenfeld
Communications Manager
blumenfeld@cathmed.org

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