



INITIATIVES: REPRODUCTIVE HEALTH SERVICES DISCRIMINATION

The Issue

Increasingly, Catholic and other faith-based health care providers have been challenged for not offering certain "reproductive health services" (e.g., abortion, 'in vitro' fertilization). A variety of groups have orchestrated campaigns to question the right of Catholic health care providers to limit the provision of such services. These efforts have included legislation, lawsuits, and public relations campaigns. They are also designed to require Catholic health care providers to offer services that conflict with their moral norms and/or prevent affiliation or mergers between Catholic and other-than-Catholic entities.

These orchestrated campaigns have resulted in legislation in several states and localities that could result in Catholic hospitals closing or substantially reducing their services to the community.

In several states, and for certain federal programs (e.g., Medicare, Medicaid, Federal Employees Health Benefits Program) Catholic and other faith-based providers have been able to secure a "conscience clause" protecting them against the mandatory provision of certain proscribed services. However, these conscience clauses are often inadequate.

CHRISTUS Health's Position: Provide adequate legal protections against providing services contrary to our moral norms.

CHRISTUS Health affirms the basic principle that no health care provider should be forced to perform or participate in abortions.

In an effort to promote the positive contributions of the ministry, CHRISTUS Health has paralleled much of the work of the Catholic Health Association (CHA) to communicate a positive image that promotes the value of Catholic health care.

We believe Catholic health care facilities and other faith-based providers should be afforded adequate legal protections to ensure we are not forced to provide services that are contrary to our moral norms.

Therefore, CHRISTUS Health acknowledges the need to:

- Analyze legislation and suggest appropriate amendments to protect

religious health care entities from intentional or unintentional efforts to abridge religious freedom;

- Work in coalition with other health care providers who share common values, as well as other faith-based organizations and interest groups to ensure mutual collaboration on issues of conscience clause and religious freedom protection;
- Continue efforts to amend federal law to ensure that neither the federal government nor any state or local government may discriminate against a health care entity because it cannot provide services that are contrary to its norms;
- Examine the possibility of supporting legislation that establishes a permanent and comprehensive federal "conscience clause" in Medicare, Medicaid, Federal Employees Health Benefits Program, and other programs; and
- Explore administrative opportunities to clarify that health care providers are not required to offer certain proscribed services or procedures.

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