

Trinity Health opposing effort to rescind conscience regulation

Summary: Trinity Health supports the conscience rights regulation that reinforces long-standing laws protecting the freedom to refuse procedures for moral or religious reasons.

Detail: The Administration has proposed a rule to rescind a regulation implementing existing provisions of federal law that protect the conscience rights of health care workers. Trinity Health, along with the Catholic Health Association (CHA), supported this regulation, which took effect on January 20, 2009, and both organizations are opposing the current proposal to rescind it.

The regulation in question was developed late last year to promote awareness of and to help enforce existing laws that protect the conscience rights of healthcare workers. These existing laws prohibit recipients of certain federal health care funds from coercing individuals and institutions into participating in actions they find religiously or morally objectionable. For about three decades, these laws have protected our organizations and individual practitioners from being forced into providing such procedures as abortions or sterilizations. The recent regulation was designed to promote awareness of these existing laws, to ensure compliance by employers, to give health care workers an administrative avenue (rather than going to court) for addressing potential violations, and to "...foster a more inclusive, tolerant environment in the health care industry than may currently exist."

Area of Confusion: There has been confusion about the impact on healthcare workers and our organizations if the regulation is indeed rescinded, as proposed by the Administration. While the additional new supports for promoting and enforcing the laws will go away, the preexisting, underlying federal laws that are the source of the federal conscience protections will not. These conscience protections will still exist, as they have for three decades. Trinity Health, our associates, and our clinician partners will still be protected in the same way that we were protected prior to January 20, 2009. Nonetheless, we will need to remain vigilant to ensure that these existing protections remain in place and that any future legislation includes conscience protections.

[Read Trinity Health Comment Letter on Proposed Rule](#)

[Read Catholic Health Association Comment Letter on Proposed Rule](#)