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Hensarling Praises Secretary Levitt, HHS for Protecting Freedoms of Medical Professionals

WASHINGTON, D.C. – Congressman Jeb Hensarling (R-TX), Chairman of the House Republican Study Committee, today issued the following statement welcoming the release of federal regulations protecting health care providers' conscience rights:

“I commend Secretary Leavitt for defending the conscience rights of doctors and other medical professionals. All health care professionals should be free to help and care for their patients without being forced to violate their own moral beliefs. Over the next month of public comment, it is my hope that the freedoms of health care professionals that care for us all are fully recognized when the regulations are implemented, and that Secretary Leavitt and other HHS officials are recognized for defending their rights.”

BACKGROUND (** From Department of Health and Human Services):

Over the past three decades, Congress has enacted several statutes to safeguard these freedoms, also known as provider conscience rights, and the proposed regulation would increase awareness of and compliance with these laws. Specifically, the proposed rule would:

- Clarify that non-discrimination protections apply to institutional health care providers as well as to individual employees working for recipients of certain funds from HHS;
- Require recipients of certain HHS funds to certify their compliance with laws protecting provider conscience rights;
- Designate the HHS Office for Civil Rights as the entity to receive complaints of discrimination addressed by the existing statutes and the proposed regulation; and
- Charge HHS officials to work with any state or local government or entity that may be in violation of existing statutes and the proposed regulation to encourage voluntary steps to bring that government or entity into compliance with the law. If, despite the Department's efforts, compliance is not achieved, HHS officials will consider all legal options, including termination of funding and the return of funds paid out in violation of the nondiscrimination provisions.

The proposed regulation would in no way restrict health care providers from performing any legal service or procedure. If a procedure is legal, a patient will still have the ability to access that service from a medical professional or institution that does not assert a conflict of conscience.

The display at the Federal Register today triggers a 30-day public comment period. Administration officials will review the comments as they work to implement a final regulation.

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Congressman Jeb Hensarling is Chairman of the Republican Study Committee (RSC).