



Pro-Life Wisconsin  
“Defending Them All”

Policy Paper

2011-2012 Legislative Session

## Health Care Freedom of Conscience Act

*“No provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprises of the civil authority.”* (Thomas Jefferson)

The last four years Wisconsin abortion advocates launched an all out assault on the conscience rights of hospitals, pharmacies, health insurers and individual health care providers. Laws were enacted that 1) force all Wisconsin hospitals to provide the morning-after pill to alleged victims of sexual assault immediately upon their request, 2) force all Wisconsin pharmacies to dispense prescribed contraceptive drugs or devices “without delay,” and 3) force Wisconsin private and public health insurers to cover contraceptive drugs and devices. The abortion lobby understands that if they can force medical professionals to violate their consciences regarding contraceptives, they can extend that legal precedent to coerce medical students to participate in abortion training and coerce doctors to provide surgical abortions.

### Federal and state constitutional protections

The First Amendment to the United States Constitution guarantees the right to freely exercise one’s religious convictions. The Wisconsin Constitution expressly protects the rights of conscience. Under Article 1, Section 18 of our state constitution “any control of, or interference with, the rights of conscience” shall not be permitted. There are no exceptions to these constitutional guarantees. They are not qualified in any way.

### A comprehensive statutory protection

Past attempts to enhance statutory conscience rights for Wisconsin’s medical professionals have followed a piecemeal approach, offering protections for an exclusive list of healthcare services that cannot keep pace with advancing medical technology or targeting only one medical profession such as pharmacy. It is time for a comprehensive approach to medical worker conscience protections that covers ALL health care services, ALL health care professionals, ALL health care institutions, and ALL health care payers. The “Health Care Freedom of Conscience Act” provides this comprehensive approach. Enacted into law in Mississippi and Idaho, the legislation is definitionally broad thereby anticipating changes in the medical industry. It provides immunity from liability and protection from discrimination and/or denial of aid or benefits. Importantly, the legislation includes significant civil damage remedies.

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**Stand up for our pro-life medical professionals!**

No medical professional should have to daily check his or her conscience at the door. It is time the Wisconsin Legislature pass *comprehensive* conscience rights protections for *all* health care professionals, health care institutions, and health care payers.

**Please urge your state legislators to pass the  
“Health Care Freedom of Conscience Act.”**