Pharmacist Conscience Clause Bill

The Pharmacist Conscience Clause Bill is much needed legislation that would protect the right of pharmacists to conscientiously refuse to engage in practices that violate the sanctity of human life. Current Wisconsin law already protects health care employees (licensed physicians, certified physician assistants, hospital employees, and licensed nurses) from being fired or otherwise discriminated against based on a conscientious refusal to participate in surgical abortion and sterilization. The Pharmacist Conscience Clause Bill would extend conscience protections to pharmacists who refuse to participate in chemical abortion and euthanasia.

What the bill says

Under the bill, a licensed pharmacist would not be required to dispense a prescribed drug or device if the pharmacist believes the drug or device would be used for causing an abortion or causing the death of any person, such as through assisted suicide or euthanasia. It would protect pharmacists who conscientiously refuse to dispense the morning-after pill and other abortion-causing hormonal contraceptives. Pharmacists would be exempt from professional liability or disciplinary action and would be shielded from employment discrimination based on creed – including refusal to hire a pharmacist or termination of the pharmacist’s employment.

The legislation does not ban birth control. It will not make drugs such as the morning-after pill and other abortifacient birth control drugs illegal or unavailable. It is a labor protection bill. Pharmacists, like doctors and nurses, are valued members of the professional health care team who should not be forced to choose between their consciences and their livelihoods. No pharmacist should have to daily check his or her conscience at the door.

The legislation does not protect a pharmacist who would conscientiously refuse to transfer a prescription. The bill is silent on the issue of transfer. Most pharmacists consider a prescription transfer to be a release of a patient health care record, not a direct referral. The bill leaves it up to the pharmacy employer and the individual pharmacist to work out an accommodation for the pharmacist’s protected conscientious objection. Accordingly, the bill does not direct the pharmacist to follow certain protocols following his or her refusal to dispense. Such legal protocols are unnecessary and would effectively place the burden on the pharmacist to ensure the patient receives her medication – which undermines the very notion of a conscientious objection.

Why is this bill necessary?

Assaults on human life are increasingly chemical in nature, not surgical. In the past decade, new abortion techniques focusing on chemical means to end the life of preborn babies, such as the
morning-after-pill and many other forms of abortifacient birth control, received FDA approval or became more readily available. While abortion was formerly relegated to a clinical setting, it is now common to receive life-ending drugs in a pharmacy, thus compelling pharmacists to be party to abortion.

It is a medical fact that the morning-after pill (a high dosage of the birth control pill) and most if not all birth control drugs and devices including the intrauterine device (IUD), Depo Provera, Norplant, the Patch, and the Pill can act to terminate a pregnancy by chemically preventing an already fertilized egg (a fully human embryo) from implanting in the uterine wall. This action constitutes a pre-implantation chemical abortion. Just as a woman’s legal right to a surgical abortion does not compel a hospital to provide one, a woman’s legal right to abortifacient drugs and devices should not compel a pharmacist to dispense them.

On the other end of life’s spectrum, efforts are underway in Wisconsin and other states that would allow terminally ill individuals to request a prescription for lethal drugs from their physicians. Pharmacists would then be asked to fill those prescriptions. The states of Oregon and Washington have already legalized physician-assisted suicide.

A national problem

The issue of pharmacists being fired for conscientiously refusing to dispense abortion-causing birth control has received international and national attention. The BBC News, USA Today, The Christian Science Monitor, CBS Evening News, and CNN, to name just a few media sources, have all reported on documented “real-life” cases in which pharmacists have been put in the position of either leaving their jobs or compromising their beliefs. These attacks on pharmacists are an infringement on their free exercise of religion, and in the long run will serve only to aggravate the already acute shortage of qualified pharmacists by discouraging people of faith from entering the field.

Reaching a middle ground

Conscientious pharmacists exercise their refusal to dispense birth control in a peaceful, non-judgmental and professional manner. They typically have accommodations in place with their employers so that customers can access contraceptives from other pharmacists on staff or, if no other pharmacist is available, from other nearby pharmacies. The Pharmacists Conscience Clause Bill simply recognizes that employers must not force pharmacists to participate in what they know to be the killing of another person. It thereby reaches a middle ground where the pharmacist can be protected and the woman can access her prescription.

The Pharmacists Conscience Clause Bill has been in the legislative process for several years. Other states with specific pharmacist conscience clause laws include South Dakota, Arkansas, Mississippi, Georgia, Oregon, Texas, Alabama, North Carolina, Delaware, Pennsylvania and New York.

Please tell your state legislators to protect the conscience rights of pro-life pharmacists.