



WISCONSIN CATHOLIC CONFERENCE

For Immediate Release
March 31, 2005

WCC TESTIFIES ON BILL TO PROTECT CONSCIENCE RIGHTS OF HEALTH CARE WORKERS

Citing the Catechism of the Catholic Church which defines conscience as “the interior voice of a human being, within whose heart the inner law of God is inscribed,” the Wisconsin Catholic Conference testified on legislation to clarify legal protection for health care workers who act in concert with their moral and religious values.

The proposal, [Assembly Bill 207](#), was the subject of a hearing before the Assembly Labor Committee on March 30 at the State Capitol. AB 207 is sponsored by Representative Jean Hundertmark and more than 50 other legislators. The bill identifies 8 medical actions or procedures in which hospitals, health care providers and other individuals may refuse to participate for religious or ethical reasons.

Under the bill, health care workers could not be compelled to participate in an abortion, a sterilization procedure, an act of assisted suicide, euthanasia, mercy killing, an experiment or medical procedure that destroys an in vitro human embryo or uses cells or tissue derived from the destruction of an in vitro human embryo.

WCC Executive Director John Huebscher told the panel that “the formation of conscience is a lifelong task for individuals. For life in society constantly presents us with new challenges and opportunities to exchange insights with each other on questions that have ethical dimensions.”

“But even as we meet new questions, we are called to live by timeless principles,” he added. “The most basic of these is to respect the sanctity of every human life and the dignity of every person. Each of us is obligated to refuse to cooperate in actions that have the effect of destroying or demeaning human life. Furthermore, cooperation in immoral acts cannot be justified by invoking respect for the freedom of others. Even when civil law permits—or even requires—that one act against life, we cannot participate in that act.”

Huebscher argued that while the principles affirmed by the WCC come from a “faith based” foundation, the rights those principles assert are grounded in our secular constitutional tradition.

“Both the US Constitution and the Wisconsin Constitution recognize the free exercise of religion as a fundamental right. Even as the state seeks to balance individual rights in a way that best secures the freedom of all, the state must protect any person from compulsion to act in ways that contradict his or her religious and moral values,” he testified.

“It may be true that no civil right is completely unlimited. Our ability to act must account for the rights of others. But it is one thing to limit behavior. It is quite another thing to compel it,” he noted.

Huebscher rejected the view that giving health care workers leeway to refuse to participate in objectionable procedures will undermine health care for patients.

“Our pluralistic society has left considerable open space for people of faith and their institutions to deliver many social goods including the ministry of health care,” he said. “Far from restricting rights, these ministries have helped countless individuals to live more fully and freely in our society. And Wisconsin is the better for it.”

“Our faith inspires this in our health care ministry. It is the source of the good that we do and it defines the limits of what we will not do,” he declared. “Our faith also provides a moral compass to help us evaluate choices presented by new medical technologies, including new ethical questions.”

Huebscher said that AB 207 affirms that society wants health care workers to be people of conscience.

“The bill recognizes that a person’s religious and moral conviction does not make them less qualified to provide health care. Rather it is a priceless source of ‘social capital,’” he explained. “This bill also recognizes the truth that providing health care is not a morally neutral practice. The actions of both patients and health care providers are by their nature acts that engage the consciences of both parties involved. Particularly when the acts have life and death consequences.”

Huebscher acknowledged that no legislation would anticipate or address every contingency or delineate every range of concerns that a health care professional may face.

“Ideally, a conscience law will be broadly worded to accommodate all foreseeable concerns. For even as you deliberate AB 207, technology continues to evolve, new issues will arise and new questions will be asked,” he observed.

“We hope that, as you deliberate on this bill, you will find ways to define the scope of conscience protection as fully as reason permits, so that people of all faiths will continue to feel comfortable in bringing their religious convictions to the healing ministry of health care in Wisconsin,” he concluded.

After the hearing, the Committee took no action on the bill. However, it is likely to receive further consideration and action as the legislative session progresses.