

Testimony in Support of LB 461

By

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Sen Ashford and Members of the Judiciary Committee:

My name is Greg Schleppenbach and I am here on behalf of the Nebraska Catholic Conference to express our support for the important rights of conscience principles embodied in LB 461. The Conference represents the mutual interests of the Catholic Bishops of Nebraska.

Religious freedom and the right of conscience are among the most basic values the Catholic Church seeks to promote and protect. Protection of this basic right of conscience takes on an even greater urgency when individuals and institutions in the healing professions are subjected to pressure, or risk being pressured, to participate in conduct which is directly inimical to the role and function of medicine.

Although Nebraska law provides some protections in the abortion context, we think there is need for broader protections within and outside that context. This need is demonstrated in part by a growing hostility on the part of some professional organizations and advocacy groups to rights of conscience in health care. For example:

- ☒ In November 2007, the American College of Obstetricians and Gynecologists issued an opinion (Committee Opinion No. 385) asserting that it is unethical for obstetricians-gynecologists to decline to provide or refer for abortion or sterilization.
- ☒ The American Civil Liberties Union has developed a report and advocacy kit aimed at requiring all hospitals, including those with a conscientious objection, to provide abortions. The report argues that the “law should not permit an institution’s religious strictures to interfere with the public’s access to reproductive health care.”
- ☒ NARAL Pro-Choice American claims that conscience clauses, which it and other advocacy groups pejoratively label “refusal clauses”, are “dangerous for women’s health.”
- ☒ Physicians for Reproductive Choice and Health claims that “the right of the patient to timely and comprehensive reproductive healthcare must *always* prevail” over a health care provider’s rights of conscience, and that “[s]everal other leading national medical and public health associations hold similar beliefs.”

Hostility to conscience rights is not confined to professional organizations and advocacy groups. State and local governments have exerted pressure upon health care professionals and institutions to provide abortions and other services in the face of conscientious objections.

We acknowledge that LB 461 needs work to resolve some drafting issues and we would like to see it have a broader application. Nonetheless, we commend Sen. Pirsch for drawing attention to the need for better conscience protection in our state and we are committed to helping him achieve that outcome.