Coalition Letter In Support Of Senate Bill 132

March 25, 2025

Representative David Osbourne Speaker Kentucky House of Representatives Frankfort, KY 40601

Representative David Meade Speaker Pro Tempore Kentucky House of Representatives Frankfort, KY 40601

Representative Steven Rudy Majority Floor Leader Kentucky House of Representatives Frankfort, KY 40601 Representative Jason Nemes Majority Whip Kentucky House of Representatives Frankfort, KY 40601

Representative Suzanne Miles Majority Caucus Chair Kentucky House of Representatives Frankfort, KY 40601

Speaker Osbourne and Representatives Meade, Rudy, Nemes, and Miles:

As Americans, we value our free speech and conscience rights. We should respect those rights for our healthcare professionals. Doing so means more and better healthcare options for every Kentuckian.

Unfortunately, threats to the freedom of medical conscience have increased in recent years due to new experimental medical procedures and a mistaken view of healthcare professionals and entities as mere public utilities. Healthcare professionals are increasingly forced, through licensure, associational, or employment requirements, to participate in procedures or provide medication in a way that violates their sincerely held religious or ethical beliefs. These professionals take seriously their commitment to 'do no harm,' and they should not be targeted for upholding their conscience in that noble effort.

Senate Bill 132 is designed to protect the conscience rights of healthcare professionals. Kentucky healthcare professionals should not be forced to do or recommend procedures that violate their sincerely held religious or ethical beliefs. Protecting this foundational right of conscience is vitally important to the short- and long-term recruitment and retention of healthcare professionals in the Commonwealth. And Kentuckians deserve to know that their doctors will not be forced to do something unethical.

Several states have, or are now considering, legislation with conscience protections similar to SB 132. These states include Illinois (1977), Arkansas (2021), Ohio (2021), South Carolina (2022), Montana (2023), Florida (2023), Mississippi (2024), Idaho (2025), Tennessee (currently considering), Iowa (currently considering), and Texas (currently considering). The success of these statutes in other states ought to encourage this General Assembly to address the issue of medical conscience this year.

After six years of considering this important legislation—including the legislation passing out of the Senate in 2024 and 2025—now is the time to secure the conscience rights of professionals to provide greater services to patients with the final passage of SB 132.

Not only does the Kentucky Constitution necessitate that these protections be enacted, stating in Section 5, "No human authority shall, in any case whatever, control or interfere with the rights of conscience," but our neighbors and our fellow Kentuckians expect and deserve this fundamental support for the conscience rights of all persons.

We, the undersigned, urge the General Assembly to support the final passage of SB 132 on behalf of our healthcare professionals, patients, and supporters throughout the Commonwealth.

Sincerely,

David Walls Executive Director The Family Foundation

Addia K. Wuchner, RN Executive Director Kentucky Right to Life

Board of Directors/Chapters Kentucky Right to Life

Richard Nelson Executive Director Commonwealth Policy Center

Frank G. Simon, MD Director, Kentucky Family Association Kentucky Doctors for Life

Kentucky Baptist Convention

Lindsey Cox, RN Florence, KY

William Wehrman III, MD Lexington, KY

Tammy Fenster, RN, BSN Nicholasville, KY

Wanda Calvin, MD Louisville, KY

Arthur J. Nitz, PT, PhD Professor of Physical Therapy Emeritus University of Kentucky Clinician, ProActive Therapy Frankfort, KY **ADF** Action

Christian Medical and Dental Associations

Catholic Medical Association

Religious Freedom Institute

Do No Harm Medicine

Family Policy Alliance

Christ Medicus Foundation

Catholic Health Care Leadership Alliance

Jody Hice President FRC Action

Medical Organizations <u>Support</u> Protecting Conscience Rights



Association of American Physicians and Surgeons

"Medical professionals should not fear the loss of their ability to practice their profession if they decline to participate in procedures or treatment that they believe to be harmful or unethical, and hence not in the best interest of their patients."



American College of Pediatricians

"Health professionals, parents or patients, should not be required to provide, or participate in, any medical service that violates their conscience or causes moral distress." 2



American Academy of Fertility Care Professionals

Physicians should not be forced "to give up the right and duty to refuse to participate in medical interventions that their upright conscience commands them to shun."



Christian Medical & Dental Association

"Issues of conscience arise when some aspect of medical care is in conflict with the personal beliefs and values of the patient or the healthcare professional...[I]n such circumstances the Rights of Conscience have priority."⁴



Catholic Medical Association

"The right of religious liberty, the first freedom guaranteed by our Constitution, includes a right to provide and receive health care without being required to violate our most fundamental beliefs." 5



American Association of Pro-Life OB/GYNS

Physician conscience rights in medical decision making has become a core issue in medical ethics. AAPLOG is committed to the individual right of conscience for each physician, especially in decisions involving moral values."



National Association of Pro-Life Nurses

Supports "defending nursing and para-medical personnel from discrimination and/or job loss for refusal to participate in practices which violate [their] values."

¹ https://www.aapsonline.org/testimony/provider-conscience-regulation-comments.php.

 $^{{}^2\}frac{\text{https://www.acpeds.org/the-college-speaks/position-statements/societal-issues/freedom-of-conscience-in-healthcare.}{}$

https://aafcp.net/wp-content/uploads/2014/07/Protecting-the-Right-of-Informed-Conscience-in-Reproductive-Medicine.pdf.

⁴ https://cmda.org/wp-content/uploads/2018/04/healthcare-right-of-conscience.pdf.

⁵ https://www.cathmed.org/wp-content/uploads/2016/10/ThePulse_Fall2016.pdf.

⁶ https://aaplog.org/physician-conscience-rights/.

⁷ https://nursesforlife.org/.