

Catholic Medical Schools Hit by Accreditation Ruling

The Catholic League is keeping a close watch on the most recent development concerning abortion. In recent years, fewer and fewer doctors and hospitals have been willing to provide abortions. The Accreditation Council for Graduate Medical Education (ACGME) would like to change that, by coercion if necessary. In a February 14 press release, it announced that all medical graduate programs must now provide training in all methods of "family planning," including sterilization and practical experience with induced abortion. Residents with moral or religious objections are exempt, but the programs are not: even Catholic medical schools must provide their residents an opportunity to participate in elective abortions and contraception. The requirement will be one of several that must be met to receive accreditation; it is set to go into effect on January 1, 1996.

Cardinal Roger Mahony, Archbishop of Los Angeles, was among many in the Catholic community who saw this new rule for what it was: he was quick to denounce the mandatory abortion training as "Anti-Catholic, anti-medicine, and anti-human...When such coercion is directed against people and institutions that embody a society's commitment to healing, moral outrage is the only appropriate response."

As well as being morally outrageous and anti-Catholic, the requirement may also be illegal. As Mark Chopko, attorney for the National Catholic Conference of Bishops, indicated in a letter to the ACGME, the proposal may violate existing laws in about 25 states. Hospitals that are conscientiously opposed to providing abortion referrals can currently refuse to do so without penalty.

What is particularly disturbing about this ruling is its

quasi-governmental nature. Medical schools cannot receive federal funding unless they are accredited, and the power of ACGME to accredit comes directly from the federal government. This would seem to imply that there is “excessive entanglement” between church and state, thus violating one of the three prongs of the *Lemon* test. But because it is the state, and not the church, that is guilty of such entanglement, we hear precious little about this aspect from the usual monitors of church-state affiliations.

The Catholic League contacted the Catholic Health Association (CHA) to inquire if it was going to take the ACGME to court on this issue. As of the last time we spoke, they were undecided. The Catholic League will continue to monitor this situation and will file an amicus brief in support of CHA should the organization decide to challenge the ruling in court.