

SEBELIUS AND CONSCIENCE RIGHTS

At the close of the Bush administration, the department of health and human services (HHS) issued regulations protecting the conscience rights of health care workers. The Obama administration is proposing to undo those rights. The person likely to enforce the new regulations is Kathleen Sebelius, the nominee for secretary of HHS.

Catholic League president Bill Donohue sees a problem:

“If Kathleen Sebelius is confirmed as the secretary for HHS, she may face a real dilemma: She may be called upon to enforce regulations that strip Catholic health-care workers of their right not to perform, or assist in performing, an abortion. She would then effectively create a dilemma for those doctors and nurses—they would either do what they are ordered to do and risk excommunication, or suffer the consequences. And given that there are more than 2,000 members of the American Association of Pro-Life OB-GYNs alone, it is safe to say that the impending problem could explode.

“The Catholic Catechism is not ambiguous: ‘Formal cooperation in an abortion constitutes a grave offense. The Church attaches the canonical penalty of excommunication to this crime against human life.’ In other words, if Sebelius enforces regulations which deny conscience rights, she will ineluctably put herself on a collision course with the Catholic Church. Is this what the Obama administration wants?

“In 2003, Gov. Sebelius vetoed a law mandating health standards for abortion clinics in Kansas. Her reasoning? The problem with the bill, she said, was that it allowed ‘the legislature, instead of physicians and medical personnel, [to] regulate health care procedures.’ If her interest in

protecting the autonomy rights of health care workers vis-à-vis the state was genuine in that instance, then surely she could invoke the same principle again and insist on conscience rights. The time to do so is now: the Obama administration is about to begin a 30-day period allowing for comment on this subject."