



State Senate approves 'moral objection' bill that would allow providers to deny health care

Health care providers could use a “moral objection” or “matter of conscience” standard to refuse service to patients under a bill passed by the state Senate Thursday.

By a 26-12 vote, the Senate approved the bill Thursday, which would allow health care providers -- as a matter of conscience -- to decline services they object to. It also would allow employers to refuse to pay for services for their employees that “violated the payer's conscience.”

The state already has a conscientious objection clause for abortion services, but the new law also could give the green light to doctors to refuse to write birth control prescriptions and opens the door to a refusal of service for all sorts of ailments, said state Sen. Roger Kahn, R-Saginaw. Kahn, a cardiologist who was the only Republican to join most of the Democrats to vote against the bill, said it shouldn't be up to health care providers to refuse service based on their own moral beliefs. “I don't know how this doesn't violate the oath I took, when I promised to resuscitate someone with TB or treat someone with

AIDS,” he said.

A doctor's refusal to perform certain procedures, like abortion, may “feel we're discriminating,” but patients may seek out other doctors, said Dr. Joseph DeCook, a retired Holland obstetrician and executive director of the national American Association of Pro Life Obstetricians and Gynecologists.

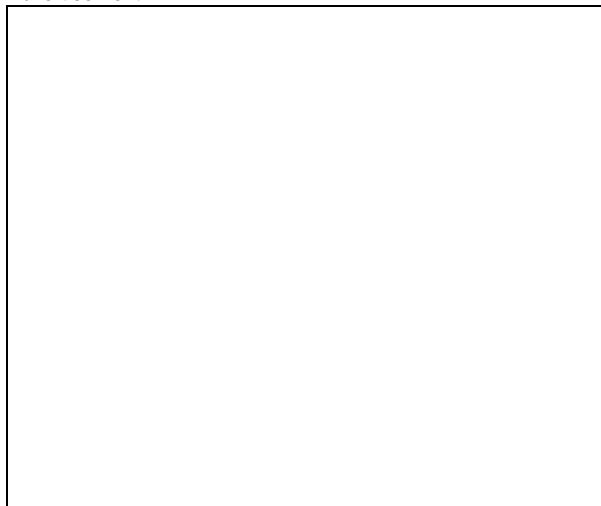
Doctors worry that, as health care reform takes effect, they will have to conform treatment to a system-wide mandate, even if it goes against their religious beliefs.

Though AAPLOG was not involved with the legislation, it approves law that offers protection for physicians who act on their conscious, DeCook said.

“Physicians need to be free to do the kinds of treatments that are in accord with their conscious,” he said.

He said a doctor's oath does not run afoul of the legislation because all doctors

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fundamentally agree that their responsibility is to treat disease.

But when it comes to abortion “pregnancy is not a disease,” he said.

And concerns that a doctor might not treat a patient with AIDS is “ridiculous.”

“That would be outrageous,” DeCook said. “Whether (the patient) got the disease from certain behaviors, from a blood transfusion or a needle stick, it’s a disease.

State Sen. Rebekah Warren, D-Ann Arbor, said she fears the bill opens the door for doctors to do things like refuse to treat people with AIDS, and allows doctors’ religious beliefs, including some who believe only the same gender should treat patients or refuse to give blood transfusions, to dictate treatment.

“Under certain circumstances, these broad refusal clauses will deny patients access to essential medical care,” she said.

But Sen. John Moolenaar, R-Midland, said the bill was intended to protect religious freedom.

“This just allows an individual to use a conscientious objection without fear of repercussions,” he said.

The Michigan Catholic Conference quickly issued a statement in support of the bill, saying it “allows for individuals, payers and providers in the health care field to operate according to their conscience without fear of government intrusion or discrimination.”

Like DeCook, Dave Maluchnik dismissed concerns that the bill would open the door for doctors to withhold treatment from

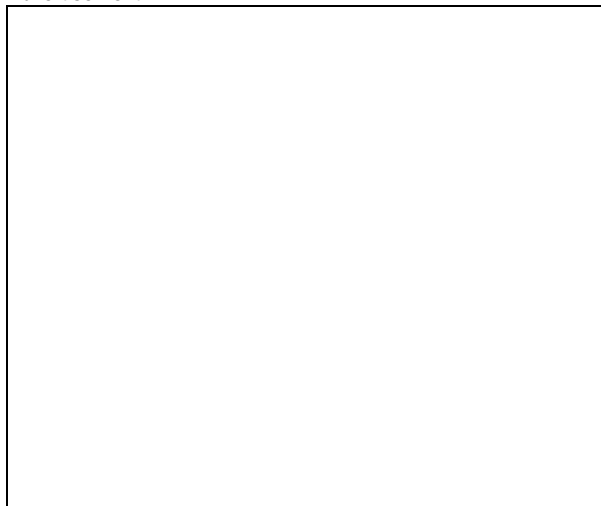
patients whose lifestyles they disagree with.

“That’s a red herring that has been out there,” he said.

The bill provides protection for patients. For example, health care can’t be withheld in an emergency situation or based on a patient’s status, which would include a patient’s gender or sexual preference, Maluchnik said.

The Senate also passed bills that would require people who wanted abortion coverage in their health care insurance plans to buy a separate rider to the policy. “Get the government from underneath women’s clothes. This bill is disgusting. It has no business in political discourse,” said state Sen. Coleman Young II, D-Detroit. “We’ve already had this conversation. Obama won, Romney lost, get over it.” The bill now moves to the state House for consideration next week.

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