

United States Senate

WASHINGTON, DC 20510

August 7, 2008

The Honorable Michael Leavitt
Secretary
Department of Health and Human Services
200 Independence Ave, SW
Washington, D.C. 20201

Dear Secretary Leavitt,

We write in strong support of conscience protections for Americans serving in the health care field.

As you know, Congress has enacted language that protects the right of health care entities to refuse to perform or refer for abortions. The language included each year since 2004 in appropriations for the Department of Health and Human Services, specifically states:

None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

In light of documented efforts to coerce providers to perform abortions in Alaska, New Mexico, New Jersey and elsewhere, we believe this legislation is critical. The intention behind this legislation is to guarantee the freedom of health care entities, including hospitals and insurance providers, to serve the public without violating their moral and religious convictions.

We strongly urge you to initiate and complete the rule-making process of federal regulations to guide the implementation and enforcement of this provision. Without these regulations, confusion is likely to continue in the health care community and many health care institutions and personnel will remain vulnerable to intolerance by those who would force them to violate their conscience. We strongly encourage you to swiftly implement federal regulations that will prevent discrimination against Americans in the health care field who choose to exercise their rights of conscience.

It was recently reported in *The New York Times*¹ that your Department is considering broad protections for the rights of conscience for medical professionals and institutions. If these reports are accurate, we appreciate your compliance with Congressional intent. These regulations are long overdue.

¹ Abortion Proposal Sets Condition on Aid. July 15, 2008. *The New York Times*
<http://www.nytimes.com/2008/07/15/washington/15rule.html?scp=1&sq=Abortion%20Proposal%20Sets%20Condition%20on%20Aid&st=cse>

Thank you for your leadership at the Department of Health and Human Services and for your attention to this important matter.

Sincerely,



Sam Brownback
United States Senator



Tom Coburn, M.D.
United States Senator

