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September 30, 2009

Representative Tom Price  
U.S. House of Representatives  
424 Cannon House Office Building  
Washington, DC 20515

Dear Representative Price:

The 16,000-member Christian Medical Association, the largest faith-based organization of physicians, heartily supports and is grateful for the conscience protections provided for in Sec. 106 of HR 3400, the “Empowering Patients First Act”.

Besides protecting any individual or institutional health care entity from discrimination “on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions,” the bill also provides the crucial implementation avenue needed to make such protection effective. By designating the Office for Civil Rights of the Department of Health and Human Services (HHS OCR) to receive and investigate complaints of discrimination based on this section, this bill puts teeth into the law. (It should be noted that this office, depending on the ideological orientation of the administration in power and/or HHS OCR personnel, may require careful oversight to make sure that the office is appropriately and aggressively pursuing complaints.)

As you know, President Obama has announced plans to rescind the relatively new federal provider conscience regulation, which also provides for such a reporting mechanism. It is imperative, therefore, to enact legislation that protects conscience rights from the whims of any administration that might minimize the opportunity to address civil rights violations related to conscience.

Sec. 106 Part (d) of HR 3400 also provides a critical component of conscience protections. Many healthcare professionals encounter pressure to violate ethical codes on many issues besides abortion. HR 3400 addresses this reality by offering appropriately broad conscientious protection “to accommodate the conscientious objection of a purchaser or an individual or institutional health care provider when a procedure is contrary to the religious beliefs or moral convictions of such purchaser or provider.”

The Christian Medical Association is very concerned that some in Congress and the White House appear to be pursuing a conscience-hostile approach to healthcare legislation, opposing amendment after amendment that would provide solid—not rhetorically deceptive—conscience protections.

Lawmakers must realize that threatening or minimizing conscience protections holds the potential to create a catastrophic shortage of healthcare access, especially for poor patients.

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Our national polling (available online at [www.Freedom2Care.org](http://www.Freedom2Care.org)) reveals that 95 percent of faith-based physicians are prepared to leave medicine altogether rather than violate their conscientiously held ethical convictions.

Catholic hospitals currently account for one in six hospital admissions in the U.S. Add to that the millions of patients served by Protestant hospitals and faith-based clinics in poverty pockets across the country, and it becomes clear the massive extent to which our nation depends on faith-based healthcare.

Threatening the conscience rights of the faith-based professionals and institutions that provide healthcare, therefore, threatens access to healthcare for millions of patients—especially the poor and those in medically underserved regions.

That's why strong conscience protections such as those offered in HR 3400, which uphold traditional American ideals of free speech and freedom of religion, ultimately serve to protect access to health care for millions of Americans.

*Thank you* for your strong leadership on the vital issue of conscience rights in health care.

Sincerely,

A handwritten signature in black ink, appearing to read "David Stevens MD". The signature is fluid and cursive, with a distinct "MD" at the end.

David Stevens, MD, MA (Ethics)  
Chief Executive Officer