



SENATOR FRED DYSON

Sponsor Statement

SB 197 – Pharmacist's right of conscience

The proposed bill addresses the known professional, moral and ethical decisions pharmacists face today with respect to termination of pregnancy and emergency contraception. It provides for a right of refusal to refer, recommend or dispense emergency contraceptives; protects pharmacists from civil claims of damages for exercising this right; and prohibits discriminatory employment action against pharmacists who exercise this right.

There is broad agreement in the medical community that post coital emergency contraception often works by destroying an early human embryo. This raises moral concerns about early abortion which transcend any particular religion. Congress itself bans federal funding of experiments that harm or destroy human embryos in the first two weeks of life. We should not deny the same right of morally based decision-making to pharmacists.

Numerous states have enacted conscience clauses that recognize the individual health care professional's right to exercise conscientious refusal. Conscience clauses in federal law protect conscientious objection based on both religious and moral grounds, in contexts ranging from military service, capital punishment, abortion and sterilization. These are based on the understanding that forcing someone to engage in activity that violates deeply held conscientious beliefs is a violation of human rights and an abuse of government.

The American Pharmacist Association, American College of Clinical Pharmacy and other organizations urge respect for rights of "conscientious refusal" which they do not confine to religious grounds. APhA's policy states: *APhA recognizes the individual pharmacist's right to exercise conscientious refusal and supports the establishment of systems to ensure the patient's access to legally prescribed therapy without compromising the pharmacist's right of conscientious refusal.*

The medical profession takes an oath to "do no harm". If a pharmacist is convicted in his or her conscience that the lives of unborn children should be protected, this bill protects them in the exercise of that right.

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