



January 21, 2018 [Michael Munger, M.D.](#) – The U.S. Department of Health and Human Services took actions last week that we at the AAFP are closely monitoring. HHS announced the creation of the Conscience and Religious Freedom Division, followed by the release of a new rule that seeks to provide more consistent enforcement of existing federal laws that grant health care professionals the right to decline to participate in medical procedures to which they are opposed on moral or religious grounds.

While these actions by HHS do not appear to suggest the creation of new rights or obligations under federal law, they do signal an intent to broaden the scope of existing conscience objection regulations and promote stricter enforcement of those laws. We are concerned that these actions may be a not-so-veiled attempt to restrict access to care for vulnerable patients seeking the aid of their family physician or other health care professionals.

We recognize and respect the rights of health care professionals to decline to participate in care that violates their personal code of ethics. However, our policies call for ensuring that all patients have access to health care, regardless of actual or perceived race, color, religion, gender, sexual orientation, gender identity, ethnic affiliation, health, age, disability, economic status, body habitus or national origin. Denying access to care to a patient on religious, ethical or moral grounds is in direct conflict with AAFP policy. There is a distinct difference between declining to participate in a procedure versus denying access to care to an individual patient. The former is a protected right, the latter is an unacceptable shirking of our basic responsibility to care for our patients and contrary to the key underpinnings of the Code of Medical Ethics.

The AAFP will continue to monitor the actions of HHS and its Conscience and Religious Freedom Division. We caution the administration to abide by its insistence that the division’s focus would be on “actions” and not on denying care to specific groups of people.