



FACT SHEET



U.S. Department of Health and Human Services • Office for Civil Rights • Washington, D.C. 20201 • (202) 619-0403

YOUR RIGHTS UNDER THE FEDERAL HEALTH CARE PROVIDER CONSCIENCE PROTECTION LAWS

What Are the Federal Health Care Provider Conscience Protection Laws?

The *Church Amendments*, *Section 245 of the Public Health Service Act*, and the *Weldon Amendment*, are collectively known as the “Federal Health Care Provider Conscience Protection Laws.” These laws prohibit recipients of certain HHS Federal financial assistance (FFA) from discriminating against certain health care providers because of the provider’s refusal or willingness to participate in sterilization procedures or abortions contrary to or consistent with the provider’s religious beliefs or moral convictions. Most of these statutory protections have existed for decades.

In addition, the *Affordable Care Act* includes new health care provider conscience protections within the health insurance Exchanges. These laws protect the conscience rights of health care providers, just as other Federal civil rights laws protect the rights of patients to access needed health care.

Who Is Protected Under the Federal Health Care Provider Conscience Protection Laws?

The Federal Health Care Provider Conscience Protection Laws protect:

- individual physicians;
- researchers;
- nurses;
- applicants for internships or residencies;
- other health care professionals;
- hospitals;
- health insurance plans;
- provider-sponsored organizations;
- health maintenance organizations;
- health care facilities; and
- other health care entities.

Who Is Covered by the Federal Health Care Provider Conscience Protection Laws?

The following “covered entities” must meet the requirements of the Federal Health Care Provider Conscience Protection Laws:

- Federal agencies (funded by appropriations to the U.S. Departments of Health and Human Services (HHS), Labor, and Education);
- Qualified Health Plans offered through a health insurance Exchange;
- any entity receiving FFA under certain HHS-implemented statutes; and
- any entity which receives an HHS grant or contract for biomedical or behavioral research.

What Are the Specific Requirements of the Federal Health Care Provider Conscience Protection Laws?

Covered entities may not, if it would be contrary to the individual's or health care entity's religious beliefs or moral convictions:

- require the individual to participate in sterilization or abortion;
- require the entity to make its facilities available for sterilization or abortion;
- require the entity to provide personnel to participate in sterilization or abortion;
- discriminate against any physician or health care personnel in employment or staff privileges because the individual participated in or refused to participate in sterilization or abortion;
- discriminate against any physician or health care personnel in employment or staff privileges because the individual participated in or refused to participate in any lawful health service or research activity;
- deny admission to or otherwise discriminate against any training program applicant (including applicants for internships or residencies) because of the applicant's reluctance or willingness to participate in sterilization or abortion; or
- discriminate against any individual or institutional health care entity that does not train in the performance of abortions or provide, pay for, provide coverage of, or refer for abortion.

Covered entities must:

- deem accredited any postgraduate physician training program that would be accredited, but for the reliance on an accrediting standard that (regardless of whether such standard provides exceptions or exemptions) requires an entity to perform abortions; or provide training for abortions.

How Do I File a Complaint with the HHS Office for Civil Rights?

If you wish to file a complaint under the Federal Health Care Provider Conscience Protection Laws, because you believe you (or your organization) have suffered discrimination on the basis of your objection to, participation in, or refusal to participate in, sterilizations or abortions, and related training and research activities; or if you believe that you (or your organization) have been coerced into performing sterilizations or abortions that are contrary to your religious beliefs or moral convictions, you may file a complaint with the HHS Office for Civil Rights (OCR).

We recommend that you use the [Civil Rights Discrimination Complaint Form Package](#), which can be found on our website at <http://www.hhs.gov/ocr/civilrights/complaints/discrimhowtofile.pdf>. However, you also may file a complaint by mail, fax or e-mail. If you need help filing a complaint, please email HHS OCR at OCRMail@hhs.gov.

For further information, contact:

Director, Office for Civil Rights
U. S. Department of Health and Human Services
200 Independence Avenue, SW - Room 506-F
Washington, D.C. 20201

Voice: 1-800-368-1019

TDD: 1-800-537-7697

E-Mail: OCRMail@hhs.gov

Website: <http://www.hhs.gov/ocr>