

OPPOSE SB 90

Healthcare Denial Law



Senate Bill 90 Would Create Chaos in Healthcare Settings

- **SB 90 would allow any person working in a healthcare setting to deny service or refuse to perform their job for any reason without repercussion. It also would allow insurance companies to refuse to pay for any service based on any grounds.**
- **Three federal judges struck down a similar U.S. Department of Health and Human Services rule in three separate rulings in November.**
- **The definition of “conscience” is so broad it allows for *any* type of belief to be used to deny healthcare service or refuse to do a job in a hospital or medical office:**

From SB 90:

“‘Conscience’ means the religious, moral, ethical, or philosophical beliefs or principles held by any medical practitioner, healthcare institution, or healthcare payer. Conscience with respect to institutional entities or corporate bodies, as opposed to individual persons, is determined by reference to that entity or body’s governing documents, including but not limited to any published religious, moral, ethical, or philosophical guidelines or directives, mission statements, articles of incorporation, bylaws, policies, or regulations;”

- **The definition of “Medical Practitioner” is so broad it applies to *any* worker in a healthcare setting, from doctors, nurses, and pharmacists, to ambulance drivers, dietitians, receptionists, even janitorial staff:**

From SB 90:

“This includes but is not limited to doctors, nurses, practitioners, physician’s assistants, nurses, nurse’s aides, allied health professionals, medical assistants, hospital employees, clinic employees, nursing home employees, pharmacists, pharmacy technicians and employees, medical school faculty and students, nursing home faculty and students, psychology and counseling faculty and students, medical researchers, laboratory technicians, counselors, social workers, *or any other person who facilitates or participates in the provision of healthcare to any person*”

- **Examples of how SB 90 could be used:**
 - A receptionist could refuse to check in a patient who is receiving an HIV test.
 - A counselor could refuse to provide grief counseling to a same-sex couple where one spouse has been diagnosed with cancer because it would involve “same-sex marriage counseling.”
 - A health plan could require a woman to have intercourse with a man before paying for fertility treatments with no exceptions for same-sex couples.