

# **One Hundred Third Legislature - First Session - 2013**

## **Introducer's Statement of Intent**

### **LB564**

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**Chairperson: Senator Brad Ashford**

**Committee: Judiciary**

**Date of Hearing: March 01, 2013**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB564 adopts the Health Care Freedom of Conscience Act. The Act protects the right of health care providers and health care facilities to decline to participate in any health care function that violates their respective consciences. The Act does not grant a right to discriminate on the basis of a patient's status, but only a right to decline to participate in a health care function because of a conscientious objection to the health care function itself.

LB564 requires that health care providers and health care facilities notify and explain to patients their reason for declining to participate in any health care function that violates their consciences. Health care providers must also provide advanced, written notification to their employers of any conscientious objection they have to any health care function, and employers must reasonably accommodate such objections.

Without state protection, health care rights of conscience may be violated by administrative penalty, refusal to license or certify, employment discrimination, and other methods of discrimination. LB564 provides that health care providers and health care facilities shall not be administratively liable for declining to participate in a health care function that violates their consciences. LB564 provides a civil cause of action for any violation of the Health Care Freedom of Conscience Act. It also provides that violations of the Act shall be unprofessional conduct in the health care profession.

LB564 states that nothing in the Health Care Freedom of Conscience Act shall be construed to authorize violations of various statutory abortion provisions or refusals to provide end-of-life care.

The proposed amendment, AM453, incorporates the above protections and requirements and replaces the original bill.

**Principal Introducer:** \_\_\_\_\_

**Senator John E. Nelson**

