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Testimony in Support of HB 2523 – Healthcare Rights of Conscience Act

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House Judiciary Committee

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Chairman Kinzer and Members of the Committee:

The Kansas Catholic Conference strongly supports HB 2523.

James Madison, primary architect of the United States Constitution and author of the Bill of Rights, once wrote: “Conscience is the most sacred of all property...the exercise of that, being a natural and unalienable right.”

The conscience rights of Pro-Life individuals and institutions have never been in more jeopardy, and this is particularly so with respect to health care providers who object to abortion.

It is beyond peculiar that anyone would wish to strip doctors and nurses of their moral compass, turning medical facilities into morality-free zones where those wielding to power to save life, or to end it, are instructed to act without reference to their deepest-held beliefs. It is radical in the extreme to suggest that one is only qualified to work in a medical setting if one is willing and able to end innocent, defenseless human life in its nascent stages. It seems some would replace *primum non nocere* -- “first, do no harm” -- with “do not apply unless willing to do harm.”

Fortunately for doctors and nurses, and especially for patients, the Constitution’s reach does not stop at the hospital door. Health care providers do not check their consciences or their rights at the door when they clock in each morning.

HB 2523 is a much needed enunciation of that fact. HB 2523 represents a rejection of the extremist position that people must be willing to participate in immoral procedures in order to work in health care.

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Two years ago, the Attorney General of Massachusetts said on a radio show that if you are a Catholic who believes Church teaching on contraception, “you can have religious freedom but you probably shouldn’t work in the emergency room.”

Regardless of one’s personal views on contraception, this is a disturbing sentiment and a warning to any other group whose views might someday be targeted. However, the stakes become dramatically higher with the issue of abortion, which is the subject of HB 2523.

Last year, twelve nurses sued a New Jersey hospital after they were threatened with termination if they refused to participate in abortion.

This Orwellian notion, that one is only qualified to work in the life-saving industry if one is willing to participate in the destruction of human life, is subversive of medical ethics properly understood, and fundamentally unconstitutional.

HB 2523 will strengthen and clarify existing Kansas conscience protections in light of new developments in human embryo-destroying technology. While it is a complicated matter sorting through the many drugs and devices now involved in this debate, the point of HB 2523 is quite simple: **doctors and nurses have the right to work in health care without being coerced into complicity with abortion.**