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30-day comment period on conscience rule open

Nancy Frazier O'Brien Catholic News Service | Mar. 10, 2009

tWASHINGTON -- The U.S. Department of Health and Human Services is accepting comments until April 9 on its move to rescind a Bush administration regulation giving federal protection to the conscience rights of health care providers.

tThe 30-day comment period opened March 10 with publication of the rescission proposal in the print version of the Federal Register.

tWhen the Obama administration announced its review of the proposal in late February, Deirdre McQuade, assistant director for policy and communications in the U.S. bishops' Secretariat of Pro-Life Activities, encouraged participation in the comment process "by all committed to the sanctity of human life, the freedom of conscience and the ethical integrity of our healing professions."

t"Efforts to nullify or weaken any conscience protection will undermine our national heritage of diversity and religious freedom, reduce patients' access to life-affirming health care, and endanger the national consensus required to enact much-needed health care reform," she added in a statement.

tHHS asked for comment on four specific aspects of the regulation, which took effect two days before President Barack Obama took office:

- "The scope and nature of the problems giving rise to the federal rulemaking," including specific examples, "and how the current rule would resolve those problems."
- Information, with examples, to support or refute allegations that the regulation "reduces access to information and health care services, particularly by low-income women."
- Whether the rule is clear enough "to minimize the potential for any ambiguity and confusion" that might result from it.
- Whether the objectives of the rule could be accomplished "through nonregulatory means, such as outreach and education."

tThe regulation codifies several existing federal statutes prohibiting discrimination against health professionals who decline to participate in abortions or other medical procedures because of their religious or other moral objections.

tPlanned Parenthood of America, which has filed suit against what it calls the "midnight regulation" of President George W. Bush, is mobilizing its members to support the rescission proposal.

tThe organization said rescinding the regulation would restore "the rights of patients to receive complete and accurate reproductive health information and services, without fear that health care providers will withhold vital information and services based on their personal biases."

tComments may be submitted electronically on the Web site www.Regulations.gov (by entering 0991-AB49 in

the search box) or via e-mail to proposedrescission@hhs.gov. Attachments may be in Microsoft Word, WordPerfect or Excel, but Microsoft Word is preferred.

tBy mail, one original and two copies of written comments may be sent to: Office of Public Health and Science, Department of Health and Human Services, Attention: Rescission Proposal Comments, Hubert H. Humphrey Building, 200 Independence Ave. SW, Room 716G, Washington, DC 20201.

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