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Physicians for Reproductive Choice and Health

Individual Refusal Clause Policy Statement

A physician has an obligation to provide patients with all relevant medically accurate information necessary to make fully informed healthcare decisions. Physicians have the legal and ethical obligation to obtain their patients' informed consent to treatment after providing the patient's full range of options. The right of patients to access information and services should not be compromised by a physician's religious or moral values. Physicians have an obligation to be aware of their own values and how they may influence the provision of care. However, physicians do not have the right to impose their own religious beliefs on those who do not share them. Physicians have the duty to ensure that their patients have accurate information and are able to elect treatment based on science and current medical standards. If a physician refuses to provide treatment based on religious belief, the physician must inform the patient of this while ensuring that the patient is referred to a physician or facility that is both economically and geographically accessible, and that will provide treatment promptly. In case of an emergency, physicians *must* provide care.

Every effort must be made to protect both the patient's right to adequate healthcare and the physician's right to opt out of procedures based on religious belief. However, it is the position of Physicians for Reproductive Choice and Health that the patient's right overrides the objection of an individual provider. The right of patients to information and care should not be compromised by religious belief. Therefore, both physicians and institutions are obligated to take the necessary steps to assure their patients seamless access to comprehensive and timely reproductive healthcare services.

Recommendations:

In order to decrease the barriers to care that could be caused by physicians who opt out of performing certain medical procedures, Physicians for Reproductive Choice and Health recommends certain standards be implemented when a physician objects to the provision of comprehensive reproductive health services:

- 1) A physician who claims a religious or moral exemption to providing reproductive healthcare services (including health education, referrals or procedures) must clearly state such in a timely manner, *both* to the institution for which she or he works and to her or his patients, in order to enable the patient to identify another physician who will provide comprehensive reproductive healthcare.
- 2) Exception to the provision of comprehensive care should be posted in a highly visible location in any office or institution utilizing conscience exceptions and provided to every patient of reproductive age entering the practice or facility.

- 3) The healthcare institution should establish a review board process to evaluate the physician's request to opt out of medical procedures. A board's decision should account for the potential harm to the patient if the physician is granted the exemption.
- 4) A physician must provide as complete and accurate information as possible for the patient or make an appropriate referral for services or information.
- 5) Regarding abortion services, Physicians for Reproductive Choice and Health supports the ACGME Program Requirements for Residency Education in Obstetrics and Gynecology, Part V, Section C:

No program or resident with a religious or moral objection shall be required to provide training in or to perform induced abortions. Otherwise, access to experience with induced abortion must be part of residency education. This education can be provided outside the institution. Experience with management of complications of abortion must be provided to all residents. If a residency program has a religious, moral, or legal restriction that prohibits the residents from performing abortions within the institution, the program must ensure that the residents receive satisfactory education and experience in managing the complications of abortion. Furthermore, such residency programs (1) must not impede residents in the programs who do not have religious or moral objections from receiving education and experience in performing abortions at another institution and (2) must publicize such policy to all applicants to those residency programs.

- 6) None of these recommendations should be read to imply that a physician who does not have expertise or is not trained to competence in a specific procedure should perform that procedure.