



Director
Office for Civil Rights
Washington, D.C. 20201

April 13, 2011

Kristan Hawkins
Executive Director
Students for Life of America
4141 N. Henderson Road, Suite 7
Arlington, VA 22203

Dear Ms. Hawkins:

Thank you for your letter to Secretary Sebelius regarding the U.S. Department of Health and Human Services' (HHS) enforcement of the federal health care provider conscience protection laws. The administration fully supports the federal conscience laws, many of which have been in existence for more than 30 years.

The Department published a Final Rule on February 23, 2011, entitled "Regulation for the Enforcement of Federal Health Care Provider Conscience Protection Laws" (76 FR 9968). This Final Rule reaffirms HHS's commitment to existing federal conscience laws by providing a clear process for enforcing these laws through the HHS Office for Civil Rights (OCR).

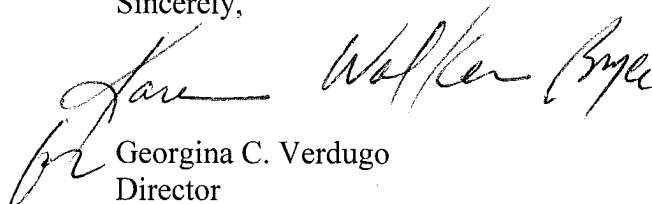
In your letter, you requested that HHS extend conscience protections to medical providers who cannot, due to moral principles, prescribe and dispense emergency contraceptives or participate in vitro fertilization procedures. However, as we explained in the preamble of the Final Rule:

[t]he provision of contraceptive services has never been defined as abortion in federal statute. There is no indication that the federal health care provider conscience statutes intended that the term "abortion" included contraception.

In addition, there is no indication that the federal conscience laws were intended to include in vitro fertilization procedures.

The federal conscience laws strike a careful balance between the conscience rights of health care providers and the rights of patients to access needed health care. I appreciate your concern regarding the conscience rights of health care providers and I assure you that the HHS Office for Civil Rights is accepting and actively investigating discrimination complaints filed under the federal health care provider conscience protection laws.

Sincerely,


Georgina C. Verdugo
Director