



Hyde/Weldon Conscience Protection Amendment Passes Congress

The Facts:

On November 20, 2004 the Congress approved a spending bill which includes the Hyde/Weldon Conscience Protection Amendment. The operative language of the Amendment reads:

None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

What it does:

- The Hyde/Weldon Conscience Protection Amendment prohibits discrimination against health care providers who decline to provider, pay for, provide coverage of, or refer for abortions.

What it does not do:

- The Amendment does not restrict the activities of any provider willing to do abortions. It protects providers that object to abortion.
- The Amendment does not prohibit anyone from talking about abortion.
- The Amendment does not prohibit the provision of information or counseling about abortion.
- The Amendment does not affect *Roe v. Wade* or subsequent abortion decisions. Under these decisions, the government is obliged not to interfere in an abortion decision, but it is not required to facilitate abortion or fund it.

Why it is needed:

- Hospitals and other health care providers should have a right to choose *not* to be involved in destroying life. Abortion advocates worked against the Amendment to deny to health care providers the right to choose *not* to perform abortion -- more evidence that 'pro-choice' really *does* mean 'pro-abortion.'
- Over a million abortions are done every year by willing abortion providers in this country. It is outrageous to suggest that health care providers and others with objections should be forced into the practice of abortion.

- Forty-seven states and other federal laws protect the conscience rights of health care providers that decline to participate in abortions. The Hyde/Weldon Conscience Amendment is necessary to protect providers from gaps in the existing state and federal protections, gaps exploited by pro-abortion organizations seeking to force all health care providers to participate in abortions.
- *Without this amendment, the threat of discrimination against those with objections to abortion is not theoretical, it is real.* An Alaska court forced a community hospital to provide elective late-term abortions contrary to its policy and the sentiment of the community. Abortion advocacy groups urged the state of New Jersey to require a Catholic health system to build an abortion clinic on its premises. The State of New Mexico refused to approve a hospital lease because the community-owned hospital declined to perform elective abortions.

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