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Thank you for recognizing the importance of right of conscience for healthcare professionals. I urge you to ensure the right of conscience for all health professionals in the State of Arkansas by passing Senate Bill 289.

I am a family physician currently living, practicing family medicine and teaching family medicine in Arkansas. Since completing my family medicine residency in 1988, I have practiced in Pennsylvania, Indiana, Colorado, Illinois, Arkansas and Rwanda. Through my work as a medical education consultant, I have been privileged to contribute to the development of medical education and family medicine in Albania, Rwanda, Democratic Republic of Congo, Kyrgyzstan, Kosovo, Bosnia-Herzegovina, Haiti and India. Serving rural, urban and international unserved populations has been the focus of my clinical practice and the mission of my work in educating medical students, residents and faculty.

My right of conscience has been violated at two institutions. During my first academic medical teaching position, as the faculty advisor to a student Christian group I described and referenced what the Bible stated about a topic. After this my promotion and advancement at that institution was blocked. At my next academic medical teaching position, students from a Christian group ask me to lead a presentation and discussion on a national Christian organization's ethical statement. The session included open discussion where all students present could participate – those who endorsed and those who disagreed with the ethical statement. Following that presentation, my position was eliminated.

A conscience that honors the original Hippocratic Oath, is grounded in biblical principles and sees each person as created in God's image is vital for providing care that is high quality, truthful, compassionate and supports life. Most physicians and health professionals in the United States are employed – they do not determine the policies and procedures of their employer. Without right of conscience health professionals cannot ensure the wellbeing of their patients when employer priorities, policies and procedures are in error or do not support the life and health of their patients. Without right of conscience health professionals who are committed to Hippocratic medicine, life created in the image of God and truth in prescribing are limited in where they can practice, thus negatively impacting health professional supply and access to care. When ask, the majority would stop practicing rather than compromise their conscience.

Right of conscience ensures I am able to inform women of how various forms of contraception work. A copper IUD works by preventing implantation of a fertilized egg, a baby, which is actually an abortion – I will not insert this type of IUD. An IUD impregnated with progesterone could prevent implantation but its primary action is preventing ovulation, avoiding pregnancy rather than aborting a baby. Women need to know their options and how interventions work in their body. "Emergency contraception" works by causing an abortion, thus it is not "contraception" (prevention of pregnancy). When I explain this to women, most do not want an abortion and chose not to pursue "emergency contraception," which I do not prescribe due to my conscience.

I gladly serve all patients—whether their values are consistent with mine or not. However, right of conscience ensures I am able to inform every patient about the consequences of their lifestyle choices and to educate all patients on choices that improve health. Men who have sex with men often thank me for being the first physician to inform them about their risk for hepatitis A, B and C and the need to be immunized for hepatitis A and B. I am often the only physician in my practice who empowers teenagers and young adults to choose not to have sex outside of marriage, informs them that they have the power to say no to sex, and discusses the physical, mental and psychological consequences of sex outside of marriage. I do also discuss contraception when indicated.

Right of conscience ensures I am able to inform patients about the actions, indications and side effects of the medications and substances they use. The drugs used for gender transition and gender change have not been studied in appropriate clinical research trials. We also do not know the long-term consequences of these drugs. Prescribing them without informing patients, including children and their parents, that they are being experimented upon is unethical. There is no credible research that shows medical benefit from marijuana. There is credible research that shows harm. Prescribing marijuana is contrary to Hippocratic medicine, biblical principles and valuing human life. I will inform patients about these drugs and substances. I will not knowingly cause harm to my patients. I will not prescribe these drugs and substances.

Thank you for considering my concerns about right of conscience for healthcare professionals. I look forward to the passage of Senate Bill 289.

Inis Jane Bardella, MD, FAAFP



02-22-21

Arkansas House Public Health, Welfare and Labor Committee
500 Woodlane Avenue
Suite 350 State Capitol Building
Little Rock, AR 72201

Committee:

My name is Jim English MD, FACS, FICS and I have been in the practice of facial plastic & cosmetic surgery in Little Rock, Arkansas for the past thirty-five years. I hold three surgical boards of certification and have been blest to train over 25 surgeons during my surgical tenure in my facility on the Baptist Hospital campus.

I am writing to express my sincere support of Senate Bill 289, The Medical Ethics & Diversity Act. Because of covid-19, my surgical schedule will not allow me to be with you during committee deliberations. I was disappointed that it did not pass the legislature previously.

As a person of faith, I find it unconscionable for a patient or any entity to pressure a surgeon into agreeing to an elective medical procedure that they believe strongly against. Only when both the medical professional and the patient agree on how best to address their medical/surgical concern(s), then should they move forward. I do not turn down deserving patients; however, I cannot in good conscience offer every procedure a patient may ask of me and should not be forced to do so. Right now, I have significant concerns about liability protection in Arkansas concerning suit if I turn down a procedure that violates my conscience.

The right of conscience predates back to the Magna Carta in 1215 as well as the protestant reformation that began in the 1500's. This right was brought forward into our founding documents in the 1700's and is implied in the first Amendment of our Constitution. As an Arkansan, we have a broad right of conscience found in Article 2, §24 of our state constitution, however, it seems that a facial plastic & cosmetic surgeon in the Natural State currently does not have the statutory protections to refuse to perform or participate in procedures that violate the surgeon's conscience. This is unacceptable and an unnecessary liability.

From what I predict soon from lawsuits already occurring in other states, SB289 is a necessary step in the right direction. It is only a matter of time before these concerns occurs here in Arkansas.

I hope you will join me in support of this historical bill, The Medical Ethics and Diversity Act, SB289 by Senator Kim Hammer and Rep. Brandt Smith.

Respectfully,

Dr. Jim English

ENGLISH PLASTIC & COSMETIC SURGERY CENTER
Shaping Your Beautiful Future

Medical Towers II, Suite 950, Little Rock, Arkansas 72205, Phone: 501.227.9556, 1.800.390.3223, Web: www.surgeoncosmetic.com

Certified: American Board of Facial Plastic & Reconstructive Surgery and American Board of Otolaryngology. Full Fellow: American Academy of Facial Plastic & Reconstructive Surgery, American College of Surgeons, American Academy of Cosmetic Surgery, and American Academy of Otolaryngology - Head and Neck Surgery.

Luke McCoy

From: Katie Glenn <Katie.glenn@aul.org>
Sent: Wednesday, February 24, 2021 3:35 PM
To: Luke McCoy
Subject: SB 289

Follow Up Flag: Follow up
Due By: Thursday, February 25, 2021 8:00 AM
Flag Status: Flagged

Good afternoon,

I am writing ahead of tomorrow's hearing on SB 289. Americans United for Life was delighted to rank Arkansas #1 on its 2021 Life List, based on laws related to abortion and women's health, bioethics, end of life care, and conscience protections. It's great to see Arkansas lawmakers considering more pro-life legislation this session.

SB 289 expands Arkansas' existing conscience protections in two ways: 1) providing employers/employees with clarity of what the law expects and 2) creating a private right of action so Arkansans can address disputes in state courts not through the federal government. The inability to defend one's rights renders the words hollow.

Best,



Katie Glenn

Government Affairs Counsel

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February 25, 2021

Georgia Walker

Statement of Support for SB289

Nursing Student

Little Rock, AR area

“I Georgia Walker, a nursing student support the Medical Ethics and Diversity Act, and encourage this committee to join me in providing more security for the medical health professionals.”



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Professor of Christian Ethics at Loma Linda University

Arkansas House of Representatives
State Capitol Building
500 Woodlane Street
Suite 350
Little Rock, Arkansas 72201-1090

Dear Members of the Arkansas House of Representatives:

I'm writing to ask for your support on legislation to create the Medical Ethics and Diversity Act, SB289. This vital piece of legislation will create conscience rights protections for Arkansas healthcare professionals.

Conscience rights protections are increasingly crucial for healthcare professionals who are guided in their practice of medicine by principles such as those found in the Hippocratic Oath. Many healthcare professionals practice according to values derived from their personal faith that do not allow them to participate in specific procedures, such as chemical abortion or even referral for abortion.

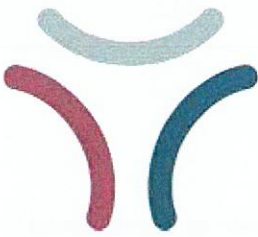
These long-established rights of conscience are now under increasing attack around the country from various quarters, threatening the very soul of medicine. One recent survey found that up to 91 percent of healthcare professionals would consider leaving medicine if they were forced to practice medicine against their conscience.

If passed, SB289 would provide necessary conscience protections that will allow Arkansas healthcare professionals to practice high-quality medicine according to their conscience and personal beliefs.

I urge you to support this excellent piece of legislation and strengthen life-affirming medical care in Arkansas.

Sincerely,

Jeffrey J. Barrows, DO, MA (Ethics)
President
American Academy of Medical Ethics



AAPLOG

Arkansas State Capitol Building
Arkansas General Assembly
500 Woodlane St
Little Rock, AR 72201

February 23, 2021

Representatives of Arkansas,

We write to you today to make our support known for Arkansas Senate Bill 289, legislation providing protection of the conscience rights of medical professionals. We speak on behalf of the American Association of Pro-Life Obstetricians and Gynecologists (AAPLOG), the largest nonpartisan professional medical organization representing pro-life medical professionals in the world. Our nearly 7000 members are uniquely impacted by issues of conscience rights as we strive to offer compassionate and excellent healthcare to their patients – both born and preborn.

Fundamental to the unique physician-patient relationship is the concept of a fiduciary relationship - the trust that the patient has in his or her physician, to do and recommend what is in the best interest of the patient. As OB-GYN physicians, and other women's healthcare providers, we are held to that standard not only for our female patient who is carrying a child, but also to the preborn human being which she carries. That trust stems from the centuries-old Hippocratic oath, a vow that all physicians take to do no harm to their patients. This Oath is the basis of the doctor-patient relationship, and is the cornerstone of medical ethics for all physicians.

The Hippocratic oath and its promise to "do no harm" has been under attack by "pro-choice" and pro-abortion voices for the better half of the past century. The concerted attempts to use punitive legal coercion to force healthcare professionals to recommend or perform the killing of their patients. This coercion has resulted in a need for conscience protections for those physicians operating within the bounds of Hippocratic Medicine, which explicitly separates medical care from the intentional killing of human beings. Due to the inherent violation that elective abortion poses to Hippocratic Medicine, medical professionals who adhere to the Hippocratic Oath will not kill their preborn patient in elective abortion, and will not refer to other persons for the purpose of killing their patient. Such ethical physicians must be able to exercise professional judgment for the best interest of both patients without fear of negative career or legal implications as a result.

Some opponents to this bill may claim that current laws provide conscience protection. But that protection is hollow because none of those laws allow a physician who has been discriminated against to sue on their own behalf. All of the current conscience protection laws require the Department of Health and Human Services to sue on the behalf of the physician. It is obvious then that if an administration opposes conscience protections, physicians have no legal recourse against discrimination on the basis of acting according to the Hippocratic Oath and their conscience.

The need for these protections is the reason for our support of Senate Bill 289. The bill explicitly states, "The right of conscience was central to the founding of the United States, has been deeply rooted in the history and tradition of the United States for centuries, and has been central to the practice of medicine through the Hippocratic oath for millennia." This statement points to the need for conscience protections for medical professionals. Medical professionals are more than a public utility and we should not be forced or bullied into performing procedures, treatments or therapies with which kill our patients or leave them permanently injured. And, physicians need to be able to legally defend themselves against such discrimination and bullying when we refuse to kill or harm our patients.

Our organization also applauds the inclusion of the definition of the right of conscience as “fundamental,” to the ability of physicians to practice medicine, without undue pressures from cultural or political forces to do what is most expedient. The ability to practice Hippocratic medicine without being forced to kill our patients is indeed fundamental to our duty as physicians.

AAPLOG thanks you and your fellow legislators for your leadership on the issue of conscious rights for medical professionals, and invite you to reach out to our organization should you have any questions.

Thank you,

Dr. Christina Francis
Chair of the Board, American Association of Pro-life Obstetricians and Gynecologists (AAPLOG)

Dr. Donna Harrison
CEO, American Association of Pro-life Obstetricians and Gynecologists (AAPLOG)