AIDS Groups Condemn New Rule on Health Workers' Religious Freedom

The Trump Administration is protecting providers who deny medical care. This is "an attempt at state-sanctioned discrimination."

January 19, 2018 By AIDS United

AIDS United, the National alliance of State & Territorial AIDS Directors (NASTAD), the National Coalition of STD Directors, the National Minority AIDS Council (NMAC) and The AIDS Institute jointly condemned the U.S. Department of Health and Human Services (HHS) announcement today, January 19, of the formation of a new Conscience and Religious Freedom Division (CRFD) in the HHS Office for Civil Rights (OCR). The CRFD will be tasked with "restor[ing] federal enforcement of our nation's laws that protect the fundamental and unalienable rights of conscience and religious freedom." To those of us who work to promote the health of LGBTQ people, those living with HIV, including people of color, and other marginalized communities, we recognize this as dog-whistle politics and an attempt at state-sanctioned discrimination.

The Trump administration is extending federal, legal cover to providers who can potentially deny medical care for transgender individuals, women, or same-sex couples, including the full range of reproductive health services and any other procedure an employee or licensed health facility may object to, on so-called "moral" grounds. The new division will invite health professionals to misinterpret and ignore current legal and medical standards, putting the health and safety of patients at risk.

In its announcement of the office, HHS spokesperson OCR Director Roger Severino offered the false choice that "no one should be forced to choose between helping sick people and living by one's deepest moral or religious convictions." However, we contend that no one should be denied medical care because their doctor or provider objects to their sexual orientation, gender identity, or reproductive autonomy. LGBTQ and other minority and marginalized communities, especially those living with HIV, already face discrimination and significant barriers to accessing critical prevention and care services.

The Office of Civil Rights should focus its efforts on ensuring access to care, particularly for communities who suffer devastating health disparities because of the discrimination they face. In its denial of the experience of those whose very lives are endangered by provider discrimination, the CRFD makes a mockery of the Office of Civil Rights and we urge the administration to reverse course.

AIDS United (AU), NASTAD, the National Coalition of STD Directors (NCSD), NMAC, and The AIDS Institute (TAI) are national non-partisan, non-profit organizations focused on ending HIV in the U.S. They have been working in partnership to identify and share resources to sustain successes and progress we have made in HIV and STD prevention, care and treatment in the United States.

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