



**DIOCESE OF MANCHESTER**  
*Secretariat for Administration and Community Affairs*

February 1, 2012

The Honorable Robert H. Rowe  
Chair, House Judiciary Committee  
Legislative Office Building, Room 208  
Concord, NH 03301

**Re: HB 1653 (Conscience Protections for Healthcare Workers)**

Dear Representative Rowe and Members of the Committee:

As Chancellor of the Roman Catholic Diocese of Manchester, and on behalf of Bishop Peter Libasci, I want to register our support for **HB 1653**. This bill would provide protection for healthcare workers who, due to their religious or conscientious beliefs, cannot perform certain healthcare actions.

Religious liberty and conscience rights are the most basic of all the rights which we possess as American citizens, but more importantly, which we possess simply as human beings. As the state and federal constitutions recognize, rights of conscience and rights of religious belief are natural, unalienable rights.

The bishops of the Catholic Church have also recognized the centrality of these rights. In the Declaration on Religious Freedom, which was issued by the Second Vatican Council almost fifty years ago, the Catholic bishops of the world stated that “this freedom means that all are to be immune from coercion on the part of individuals or of social groups and of any human power, in such wise that no one is to be forced to act in a manner contrary to his own beliefs, whether privately or publicly, whether alone or in association with others, within due limits.”

Unfortunately, rights to freedom of religious belief and conscience have been under aggressive attack of late. At the national level, the new regulations of the Federal Department of Health & Human Services purport to require religious institutions to undertake actions which are squarely opposed to their teachings and beliefs. Given this situation, it is all the more important that a bill like this be enacted, so that the New Hampshire Legislature is on the record to show its support for the rights of conscience and religious beliefs which are protected expressly under the New Hampshire Constitution.

While the New Hampshire Medical Society expressed its opposition to this bill because it said that these protections are provided under the American Medical Association Code of Medical Ethics and New Hampshire Administrative Rules, those are hardly sufficient protections for physicians, and obviously no protection at all for other healthcare workers. And as Representative Kathy Souza commented in the course of the public hearing on this bill, medical ethics can change. The application of the Hippocratic Oath over the course of the last several

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decades itself is proof of that proposition. As Representative Souza said, while medical ethics can change, religious beliefs and morality and conscience do not change.

That is an important point to keep in mind.

It should also be noted that the need for legislation like this is redoubled by the nature of the opposition to this bill. For instance, the New Hampshire Civil Liberties Union, an organization which purports to represent individual conscience, testified in opposition to this bill. Thus, we are now at a juncture where even those who say that they are in favor of individual conscience are supporting the use of the apparatus of state power to compel individual citizens to act in contravention of their most deeply held religious beliefs - beliefs, incidentally, which are consistent with principles that never would have been questioned over the course of millennia, until several decades ago.

As the testimony at the public hearing demonstrated, New Hampshire is one of only three states which do not provide statutory conscience protection for healthcare workers. We urge the legislature to act in defense of the rights of conscience and religious belief, and to recommend **HB 1653** as ought to pass.

Thank you for your consideration, and for your service to the people of New Hampshire.

Very truly yours,



Diane Murphy Quinlan  
Chancellor