

Email to : testimony@capitol.hawaii.gov

To : Senator David Ige & Members of the Health Committee

Re: SB2928

Measure Title: Relating to the Rights of Conscience.

Report Title: Healthcare Providers; Right of Conscience

Description: Establishes a right of conscience for healthcare providers, institutions, and payers who do not want to participate, provide, or pay for medical services that violate their conscience, including abortions, artificial birth control, artificial insemination, assisted reproduction, human cloning, euthanasia, human embryonic stem cell research, fetal experimentation, physician assisted suicide, and sterilization.

Package: None **Companion:**

Introducer(s): SEN. MIKE GABBARD

Current Referral: HLT, JDL

Public Hearing : 02-13-08 at 1:25 pm in conference room 016.

Dear Chair and Committee members,

I am in support of this Bill and request that it be passed out of Committee.

I am a trained Social Worker and had practiced Social Work in various capacities for over 10 years between 1970s to 1980s before switching career. During that period, I had worked in areas of controversy involving issues of advising run-away teens, abused women and broken marriages. The Social Work Code of Ethics required that we do not allow our personal perspective or values to play a part in the counseling process if it conflicts with the clients. This is well and good if values concerning human behavior and life are not in conflict between the professional and the client.

However, I had occasions to deal with teens and moms bearing unplanned pregnancies. Had I the benefit of the Conscience Law, I would definitely have invoked it. I struggled thereafter mentally, suffering a miscarriage, a very premature birth to which I attribute to date to my conflicting counseling role.

Many of my friends have similar problems. Transporting a client to an abortion clinic compromises the driver's values. A postgraduate student working in biological sciences reported her professor refused to reveal the source of the tissues she was studying under the microscope until pressured. She stopped working when she learnt that it came from aborted babies, due to a conflict with her religious values. I bring this up because this is illegal but many scientific research conducted under the cover of scientific pursuits are not necessarily all legal.

It is a "don't ask and don't tell" situation of leading the people astray. If we for example, really force the revelation of what were the scientific setbacks lost in the floods at the University of Hawaii a few years ago, we will be floored by what experiments, I suspect, were not legislatively approved but conducted anyway.

Nurses report hearing family members pressure the doctors to "do something" about their being inconvenienced because of the care of their elderly, or terminally ill patients which they cannot handle, or having to administer Emergency Contraceptives which they know are abortifacients which goes against their conscience. Technicians, pharmacists all face similar problems. Think about the reasons why bills are proposed to force these professionals to do what they normally would not arise from knowledge that unless pressured, many choose the Culture of Life. Is it therefore not legislatively guaranteeing our civil rights on conscience issues?

In this post legal abortion days, fortunate enough to be "chosen" to live by our mothers, we all share the same blank slate. We are clothed, fed, sheltered, educated, get jobs, maybe marry and bear children. But we all die. Whatever values we hold affect our life choices. It also affects our mental health, guilt and for many regrets which they cannot undo.

The point being that most values of human and societal behavior will come into conflict at some point in our lives especially with regard the belief in the sanctity of all human life or death to those noncontributing humans all defined as just another societal economic and psychological burden. Resources will always appear to be less than needs and wants. But wastage and misuse of resources is also always present. Religion provides the basis for many of these life values. Without the right to exercise our Conscience what makes our lives different from animals?

I support SB2928 Right of Conscience bill which extends beyond the 1970 HRS 453-16(e) law which only exempted hospitals and persons participating in any abortion if it violates their conscience. Not only Health Care Providers should be covered but those working in other capacity relating to jobs involving counseling controversial life or death issues. This would cover psychologists and social workers amongst others as well. In this bill, substituting the word Care Providers from the Report title, Healthcare Providers, can extend the benefits of Right of Conscience to other professionals.

Thank you very much.

Lleander Jung, Honolulu, HI. 96816

testimony

From: Ryan Malloy [rtmalloy@hotmail.com]
Sent: Wednesday, February 13, 2008 2:01 PM
To: testimony
Subject: support for SB 2928

Senate Committee on Health
Senator Daniel Y. Ige, Chair
SB 2928
February 13, 2008
State Capitol Conference Room 016

Mr. chairman and members of the Senate Committee on Health I am submitting this testimony in support of SB 2928.

I am a medical professional who has been living and working in the state of Hawaii for the past two and a half years. My work involves direct patient interaction and care. Needless to say, the personal assessment of each patient and the development of an appropriate manner of treatment are constant concerns.

The development of proper and appropriate patient care requires the physician and/or medical provider to use his or her education, training and personal judgement. A critical part of a medical provider's service is their ethical understanding of the subject matter for which they were trained. For example, under federal law a physician has the right and (more importantly) the obligation to prescribe or withhold certain medical treatment based on the patient's best interests. It is therefore of the utmost importance that the rights of medical professionals be protected that they may be able to make sound judgement and ensure optimal patient care.

Sincerely, Ryan Malloy

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