

Michigan House passes bill that allows doctors to refuse treatment to gays

HRC calls on Michigan Senate and governor to stop discriminatory bill

by **Glenda Testone**

DETROIT, Mich. — The Republican-controlled Michigan House of Representatives passed a measure Apr. 23 that would allow doctors to refuse to treat gay, lesbian, bisexual and transgender patients. The *Conscientious Objector Policy Act* provides that health care workers can refuse service to anyone for moral, ethical or religious reasons, although the measure would prohibit the refusal of emergency care.

The bill was strongly supported by the Michigan Catholic Conference, a conservative religious organization that also hosted a legislative day for Catholics at the Michigan state Capitol Apr. 23. The bill now

goes to the Republican-controlled Senate.

In addition, three other bills that may affect health care for LGBT patients were approved by the Michigan House Apr. 23. One would exempt a health insurer or health facility from providing or covering a health care procedure that violated ethical, moral or religious principles reflected in their bylaws or mission statement.

Vocal opponents of the measure included Rep. Chris Kolb, the first openly gay legislator in Michigan. "Are you telling me that a health care provider can deny me medical treatment because of my sexual orientation? I hope not," he asked the House.

The Human Rights Campaign on Apr. 29 urged the Michigan Senate and Gov. Jennifer Granholm to defeat the discriminatory health care package.

"Tragically, these bills allow doctors to discriminate," said HRC President Cheryl Jacques. "Even now, the GLBT community avoids medical treatment at an alarming rate. This package could have a devastating effect on the community."

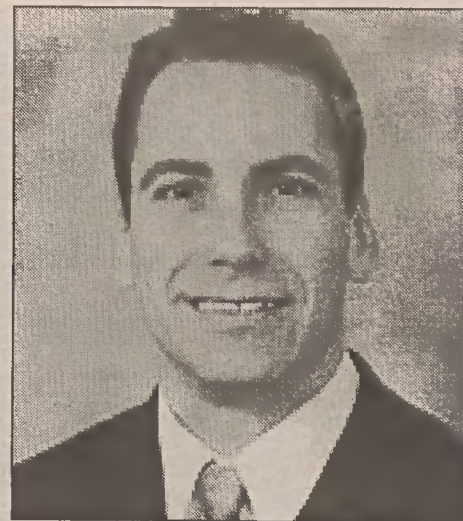
As a package the bills would allow, under certain conditions, a health care provider or health facility to refuse to provide or participate in a health care service and allow health insurers, health maintenance organizations and Blue Cross Blue Shield of Michigan to refuse to offer or provide a health care benefit. The bill also fails to require health care providers to give referrals to providers who offer services they refuse.

"The American Academy of HIV Medicine vehemently opposes any bill that would encourage discrimination in the clinical setting," says AAHIVM C.E.O. R. Scott Hitt, M.D.

Kenneth Haller, the president of the Gay and Lesbian Medical Association, has called the bill "clearly unethical."

"This bill violates every measure of medical ethics. If doctors want to discriminate in the delivery of health care, they should get out of the medical profession," said Sean Kosofsky, director of policy for Triangle Foundation. "We hope the governor will veto any version of this bill."

"Five other states have harmful bills like this pending in 2004," added Jacques.



Openly gay Michigan Rep. Chris Kolb: 'Are you telling me that a health care provider can deny me medical treatment because of my sexual orientation?'

Those states are: Minnesota, Rhode Island, Vermont, Washington and West Virginia. "No bill that denies equal health care treatment should pass."

Michigan State Representative Andy Meisner summed up the general outrage among those in the LGBT community and their supporters.

"In order to become a physician, individuals must take the Hippocratic Oath ... Nowhere in the oath does it say that physicians shall not treat people whose ethnicity, sexual orientation or beliefs they may not agree with or approve of. This would amend the Hippocratic Oath in a way that takes rights away from people in the name of protecting the rights of others. We do not have the moral or professional standing to do either."

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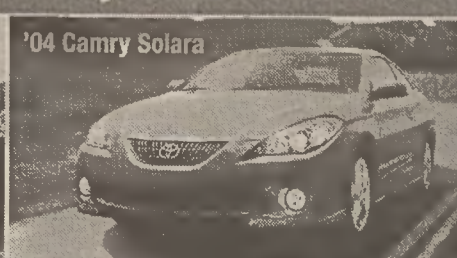
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