

## **Conscience Protection Act of 2016**

### **Section 1 – Title**

### **Section 2 – Findings**

### **Section 3 – Prohibiting Governmental Discrimination Against Providers Of Health Services That Are Not Involved In Abortion.**

Amends Section 245 of the Public Health Service Act as follows:

#### **New Section 245A**

- (a) Prohibits the federal government, and state and local governments that receive Federal financial assistance, from penalizing, retaliating against, or otherwise discriminating against a health care provider on the basis that such a provider does not: 1) perform, refer for, or otherwise participate in abortion; 2) provide or sponsor abortion coverage; or 3) facilitate or make arrangements for any of the activities specified in this subsection.
- (b) Makes clear this bill does not prevent the voluntary provision of abortion services, coverage or referral for abortion; does not make changes to EMTALA; does not supersede state laws related to insurance.
- (c) The Office for Civil Rights of the Department of Health and Human Services, in coordination with the Department of Justice (DOJ), must investigate complaints alleging discrimination based on an individual's religious belief, moral conviction, or refusal to be involved in an abortion.
- (d) Defines health care providers. Defines “state or local government that receives Federal financial assistance” as including every agency and other governmental unit and subdivision of a State or local government.

#### **New Section 245B**

- Specifies DOJ or any entity adversely affected by such discrimination may obtain equitable or legal relief in a civil action. Administrative remedies do not need to be sought or exhausted prior to commencing an action or granting relief. Such an action may be brought against a governmental entity.