



NEWS RELEASE

CONTACT: Lawrence Pacheco, Director of Communications
(720) 508-6553 office | (720) 245-4689 cell
Email: Lawrence.pacheco@coag.gov

FOR IMMEDIATE RELEASE

Attorney General Phil Weiser challenges federal rule allowing medical providers to deny services to patients based on personal beliefs or moral convictions

'Refusal of Care' rule puts more than \$6 billion in federal Medicaid and other healthcare funding at risk in Colorado

May 21, 2019 (DENVER, Colo.) — Attorney General Phil Weiser today joined several states in filing a lawsuit against the U.S. Department of Health and Human Services (HHS) that challenges a new rule that would expand the ability of businesses, individuals, and health care organizations to refuse to provide lawful and medically necessary care to patients based on personal or moral objections.

The rule, which takes effect in July 2019, drastically expands the number of providers eligible to make such refusals, ranging from ambulance drivers to emergency room doctors to receptionists to customer service representatives at insurance companies. Under the rule, even if a provider or employer makes reasonable steps to accommodate the views of an objecting individual, if that individual rejects a proposed accommodation, a provider or employer has no other option than to refuse to provide care.

“A patient’s access to quality, affordable healthcare should not be driven by the personal beliefs or the discriminatory practices of one individual or organization. This refusal of care rule threatens to cause incredible mischief. It is wrong, unnecessary, and threatens to do real harm,” said Weiser. “Colorado providers should not be forced to choose between giving effective and efficient patient care or risking the loss of more than \$6 billion in federal funds that they rely on to provide that care.”

In Colorado, the refusal of care rule conflicts with various existing state laws, including those that protect women’s access to contraception and ensure survivors of sexual assault have access to information about emergency contraception. In addition, Colorado Medical Board policy requires a healthcare professional provide 15 to 30 days of emergency coverage while a patient obtains a new provider. And state law requires many facilities to ensure patients are provided informed consent and information about the availability of alternative procedures.

Colorado stands to lose billions in federal healthcare dollars if policymakers do not change state laws, regulations, and policies to comply with the rule. According to HHS’s Tracking Accountability in Government Grants System (TAGGS), Colorado received nearly \$6.4 billion dollars in federal funds in 2018, and 80 percent went to administering Medicaid and the Children’s Health Insurance Program. As of the end of April 2019, there were 1.24 million Coloradans enrolled in these programs. For state fiscal year 2019-20, the Colorado Medicaid budget will be \$10.66 billion, which includes \$6.04 billion in federal funds.

In addition to Colorado, the following states have joined the lawsuit: Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and Wisconsin.

###