

FACT SHEET

FEDERAL PROVIDER REFUSAL LAWS

Abortion Services

For decades, federal law has given individuals and institutions the right to refuse to provide abortion and sterilization services. Today, there are four primary federal refusal clauses. Below are short summaries of each religious refusal law specifically related to abortion services.

THE CHURCH AMENDMENT (1973)

- The Church amendment was enacted in response to debates about whether the receipt of federal funds requires recipients to provide abortion or sterilization services.
- The receipt of federal funding under certain laws, including the Public Health Service Act (which covers Title X) does not require any individual to perform or assist in sterilization or abortion procedures if those procedures are contrary to the individual's religious or moral beliefs.
- The receipt of such funding does not require entities to make their facilities or personnel available for sterilization or abortion procedures if those procedures are contrary to the religious or moral beliefs of the entity or individual.
- Health care personnel employed by certain federally funded programs and facilities may not be required to perform or assist in the performance of sterilization or abortion services to which they object based on their religious or moral beliefs.

COATS AMENDMENT (1996)

- Congress adopted the Coats Amendment in response to a decision by the accrediting body for graduate medical education to require OB/GYN residency programs to provide abortion training.
- Adopted in 1996, the amendment prohibits federal, state, and local governments from "discriminating" against entities that refuse to provide or require training in abortion or individuals who refuse to be trained to provide abortions.

WELDON AMENDMENT (2004)

- Each year, beginning in 2004, Congress has attached the Weldon Amendment to the appropriations bill that funds the Departments of Labor, Health and Human Services, and Education (Labor-H).
- The Weldon Amendment prohibits federal agencies, as well as state and local governments and other programs that receive money under the Labor-H appropriations bill from "discriminating" against individuals, health care facilities, insurance plans, and other entities because they refuse to provide, pay for, provide coverage of, or refer for abortions.

AFFORDABLE CARE ACT (2010)

- The Affordable Care Act expands refusal clause protections by prohibiting health care plans in the health insurance marketplaces from "discriminating" against health care facilities and providers because of their unwillingness to provide, pay for, provide coverage of, or refer for abortions.