

S 47

Defense of Conscience in Health Care Act

Congress: 119 (2025–2027, Current)

Chamber: Senate

Policy Area: Health

Introduced: Jan 9, 2025

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Jan 9, 2025)

Official Text: <https://www.congress.gov/bill/119th-congress/senate-bill/47>

Sponsor

Name: Sen. Hawley, Josh [R-MO]

Party: Republican • **State:** MO • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Jan 9, 2025

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
119 HR 2874	Identical bill	Apr 10, 2025: Referred to the House Committee on Energy and Commerce.

Defense of Conscience in Health Care Act

This bill requires the Department of Health and Human Services (HHS) to issue a final rule on protecting statutory conscience rights in health care that is identical or equivalent to the rule titled *Protecting Statutory Conscience Rights in Health Care; Delegations of Authority*, which was scheduled to take effect on July 22, 2019, but was vacated by courts.

Federal law generally prohibits discrimination based on conscience or religious beliefs with respect to federally funded health care programs, including prohibiting recipients of certain federal funding from requiring health care providers to take actions that they find religiously or morally objectionable (e.g., providing referrals for abortions).

In 2019, HHS issued a final rule revising the applicable regulations, including imposing certification and cooperation requirements, as well as establishing additional enforcement provisions and penalties. However, this rule was later vacated by federal courts and never took effect. In 2024, HHS issued another final rule that generally applied a pre-2019 enforcement framework while also maintaining certain aspects of the 2019 rule (e.g., specifically designating HHS' Office for Civil Rights as the entity with the authority to handle relevant complaints).

The bill requires HHS to reinstate the 2019 rule in its entirety.

