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| **Law[[1]](#footnote-1)** | **Covered Entities** | **Protected Individuals/Entities** | **Prohibited Conduct** | **Health Care Services** |
| Church Amendment #142 USC § 300a-7(b) | Court, public official or public authority | Recipients of HHS grant, contract, loan or loan guarantee under:* Public Health Services Act
* Community Mental Health Centers Act
* Developmental Disabilities Services and Facilities Construction Act
 | If it’s against the recipient’s religious beliefs or moral convictions, covered entity may not require:* Individual to perform sterilization or abortion
* Entity to make facilities available for sterilization or abortion
* Entity to provide personnel for the performance/assistance of abortion.
 | Sterilization and abortion services |
| Church Amendment, #242 USC § 300a-7(c)(1) | Recipient of HHS grant, contract, loan or loan guarantee under:* Public Health Services Act
* Community Mental Health Centers Act
* Developmental Disabilities Services and Facilities Construction Act
 | Physicians or other health care personnel | Covered entity may not discriminate against the protected individuals in employment, promotion, termination of employment or extension of medical staff privileges because the individual:* Performed or assisted in lawful sterilization or abortion
* Refused to perform or assist in a sterilization or abortion on the grounds that performance or assistance would be contrary to the individuals’ religious beliefs or moral convictions.
 | Sterilization and abortion services |
| **Law** | **Covered Entities** | **Protected Individuals/Entities** | **Prohibited Conduct** | **Health Care Services** |
| Church Amendment #342 USC § 300a-7(c)(2) | Any entity receiving a grant or contract for biomedical or behavioral research under any HHS administered program | Physician or other health care personnel | Covered entity may not discriminate against the protected individuals in employment, promotion, termination of employment or extension of medical staff privileges because the individual:* Performed or assisted in any lawful health service or research activity;
* Refused to perform or assist in any lawful health service or research activity on the grounds that performance or assistance would be contrary to the individuals’ religious beliefs or moral convictions.
 | Any lawful health service or research activity |
| Church Amendment #442 USC § 300a-7(d) | Any entity (including HHS, state/local government, health care provider) that carries out a health service program or research activity administered by HHS | Individuals (employees, volunteers, etc.) | No individual shall be required to * Perform or assist in the performance of any part of a health service program or research activity funded in whole or in part under a program administered by HHS if his performance or assistance in the performance of part of such program or activity would be contrary to his religious believes or moral convictions.
 | Health services or research activities funded in whole or in part by a program administered by HHS (such as Medicare or Medicaid) |

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| **Law** | **Covered Entities** | **Protected Individuals/Entities** | **Prohibited Conduct** | **Health Care Services**  |
| Church Amendment #542 USC § 300-7(e) | Recipient of HHS grant, contract, loan, loan guarantee or interest subsidy under:* Public Health Services Act
* Community Mental Health Centers Act
* Developmental Disabilities Services and Bill of Rights Act
 | Any applicant for training or study, including applicants for internships and residencies | Covered entity may not:* Deny admission to any applicant; or
* Discriminate against any applicant for training because of the applicant’s reluctance, or willingness, to counsel, suggest, recommend, assist, or in any way participate in the performance of abortions or sterilizations contrary to or consistent with the applicant’s religious beliefs or moral convictions.
 | Sterilizations and abortions |
| The Weldon Amendment (originally adopted in 2004 but has been re-adopted or incorporation in each subsequent CAA) | * Federal agencies and programs;
* State or local gov’t that receiving Federal financial assistance.
 | “Health care entities” which includes institutions and individual licensed providers (physicians, APPs, etc.), HMOs and health insurers. | Covered entities may not discriminate on the basis that:* Entity does not provide, pay for, provide coverage of, or refer for abortions.
 | Abortions |

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| **Law** | **Covered Entities** | **Protected Individuals/Entities** | **Prohibited Conduct** | **Health Care Services** |
| Public Health Service Act § 245“Coats-Snowe Amendment”(42 USC § 238n) | * Federal gov’t
* State/local govt receiving Federal financial assistance.

“Federal financial assistance” includes governmental payments provided as reimbursement for carrying out health-related activities. | Any health care entity | Covered entities may not discriminate against any health care entity based on:* Refusal to undergo training in the performance of abortions, to require or provide such training, to perform such abortions or to provide referrals for such training or such abortions;
* Refusal to make arrangement for such activities;
* Attends (or attended) a post-graduate physician training or other health care profession training program that does not (or did not) perform induced abortions or require, provider, or refer for training in induced abortions.

Must deem these postgraduate programs accredited but for the reliance on an accrediting standard that requires an entity to perform abortions or require, provide or refer for training in abortions or making arrangements for such training. | Abortions |

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| **Law** | **Covered Entities** | **Protected Individuals/Entities** | **Prohibited Conduct** | **Health Care Services** |
| Medicare & Medicaid (42 USC § 1395w-22(j)(3)(B); § 13956u-2(b)(3)(B))  | Medicare and Medicaid programs | Medicare Advantage plans and Medicaid managed care organizations | Prohibits Medicare Advantage plans and Medicaid managed care organizations from being required to provide, reimburse, or cover a counseling or referral service if it objects to the service on moral or religious grounds but must provide notice to prospective enrollees of the objection. | Counseling or referral services  |
| Medicare & Medicaid(42 USC § 1395cc(f); § 1396a(w)(3); and § 14406(2))  | Medicare and Medicaid programs | Any provider or organization as well as the employees of providers and organizations. | Advanced directive provisions are not to be construed as requiring a provider or organization to counsel/refer/participate in assisted suicide or euthanasia; or preempting a state law that allows for a conscious objection to implementing an advanced directive. | Counseling or informing patients about, referring or participating in, advanced directives.  |
| Medicare & Medicaid(42 USC § 1320a-1(h); §1320c-11; § 1395i-5; §1395x(e); § 1395x(y)(1); §1396a(a); § 1397j-1(b)) | Medicare and Medicaid programs | Religious non-medical health care providers (certain facilities that provide nonmedical services exclusively to patients who choose to rely solely on religious method of healing) | Certain Medicare/Medicaid provisions aren’t applicable to these “religious non-medical health care providers”  | N/A |
| The Affordable Care Act (42 USC §18023(b)(4) | Issuers of Qualified Health Plans on the Health Insurance Marketplaces | Individual healthcare providers and healthcare facilities | Covered entities may not discriminate against any healthcare provider or healthcare facility because of its unwillingness to provide, pay for, provide coverage of or refer for abortions. | Abortions |
| **Law** | **Covered Entities** | **Protected Individuals/Entities** | **Prohibited Conduct** | **Health Care Services** |
| The Affordable Care Act Section 1553(42 USC §18113) | * Federal gov’t;
* State or local gov’t that receiving Federal financial assistance under the ACA;
* Health care providers receiving Federal financial assistance under ACA; or
* Health plan created under ACA.
 | Individual health care providers or health care facilities | Covered entities may not discriminate on the basis of refusal to provide any health care item or service furnished for the purpose of causing or assisting in the causing of the death of an individual such as assisted suicide, euthanasia or mercy killing. | Assisted suicide/ euthanasia |
| OSHA (29 USC § 669(a)(5)) | OSHA testing programs established by HHS for determining the incidence of occupational illness and susceptibility of employees to such illnesses. | Employees of an employer subject to an HHS testing program | HHS testing programs are not to be construed as requiring medical examination, immunization or treatment for those who object on religious grounds, except where necessary for the protection of the health or safety of others. | Medical examinations, immunizations or treatment in connection with an HHS testing program established under OSHA. |
| Public Health Service Act (Garrett Lee Smith Memorial Act)(42 USC §290bb-36(f)) | Federally-supported suicide prevention programs | Parents/legal guardians  | Suicide prevention programs are not to be construed as requiring as suicide assessment, early intervention or treatment services for youth. | Youth suicide assessment, early intervention or treatment services provided through federally-supported suicide prevention programs. |
| **Law** | **Covered Entities** | **Protected Individuals/Entities** | **Prohibited Conduct** | **Health Care Services** |
| 42 USC § 280g-1(d) | HRSA, CDC, NIH through grant-making authority. | Parents/legal guardians  | Grants for early hearing loss detection programs for newborns, infants or young children do not preempt State laws allowing parents and legal guardians to object to such screening based on religious beliefs. | Early hearing loss detection for newborns, infants or young children. |
| 42 USC § 1396(s)(c)(2)(B)(ii) | Providers of pediatric vaccines funded through Federal medical assistance programs | Parents/legal guardians  | Providers of pediatric vaccines funded through Federal medical assistance programs must comply with any State laws relating to any religious or other exemptions. | Pediatric vaccines |
| 42 USC § 1396f | HHS funded State and local child abuse prevention and treatment programs, including Medicaid and CHIP | Parents/legal guardians  | Covered programs are not to be construed as:* Creating Federal requirement that a parent/ legal guardian provide a child any medical service or treatment against the religious beliefs of that parent or legal guardian;
* Requiring a State to compel a person to undergo medical screenings, examination, diagnosis, treatment, health care or services if a person objects on religious grounds, with limited exceptions.
 | Services provided to minors |

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| **Law** | **Covered Entities** | **Protected Individuals/Entities** | **Prohibited Conduct** | **Health Care Services** |
| Child Abuse Prevention and Treatment Act (42 USC § 5106i) | HHS child abuse prevention programs | Parents/legal guardians, State and local child abuse prevention and treatment programs | Federal laws are not to be construed as establishing a Federal requirement that a parent/guardian provide a child any treatment against their religious beliefs or require that a State find or prohibit a State from finding child abuse or neglect in cases in which the parent/guardian relies solely or partially upon spiritual means rather than medical treatment in accordance with their religious beliefs. | N/A |
| Foreign Assistance Act of 1961(22 USC § 2151b-2, 2151b(f); § 7601-7682, §7631(d)) | Programs administered by HHS under the President’s Emergency Plan for AIDS Relief | Recipients of foreign assistance funds for HIV/AIDS prevention, treatment, or care under Section 104A of the foreign Assistance Act. | Recipients cannot be:* Required to endorse or utilize a multisectoral or comprehensive approach to combatting HIV/AIDS;
* Required to endorse, utilize or make a referral to, integrate with or participate in any program or activity to which the organization has a religious or moral objection;
* Discriminated against based on the above acts.

Restrictions on use of funds for abortion/involuntary sterilization or to incent abortions/sterilizations. | Global health programs |

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1. The first seven laws are those which have been included in the Federal Conscience Protection Rule since the initial rulemaking in 2008. [↑](#footnote-ref-1)