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Pennsylvania MEDICAL SOCIETY

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November 20, 2006

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Mr. Gerald Radke, Director
Bureau of Facility Licensure and Certification
Department of Health
Room 934, Health and Welfare Building
7th and Forster Streets
Harrisburg, PA 17120

Dear Mr. Radke:

I am writing as President of the Pennsylvania Medical Society to offer comments on the Department of Health's proposed rulemaking entitled "Sexual Assault Victim Emergency Services" that were published for public comment in the October 21, 2006 *Pennsylvania Bulletin*.

The proposed rulemaking includes under Section 117.57 an exemption for certain types of hospitals based on moral or religious convictions permitting those facilities to refuse to provide emergency contraception services to sexual assault victims if "providing those services would be contrary to the stated religious and moral beliefs of the hospital."

The Medical Society requests that the section be amended to include individual physicians and other health care practitioners so that they are afforded the same exemption of not providing emergency contraception if it is against their personal moral or religious convictions.

Several states have passed legislation containing practitioner refusal or conscience clauses. These statutes permit, for example, pharmacists to refuse to dispense emergency contraception drugs.

Addition of an individual practitioner refusal or conscience clause would not prevent the victim of sexual assault from receiving information regarding emergency contraception and assistance in arranging for appropriate treatment. At the same time, the clause would protect the individual practitioner's rights.

The Medical Society therefore requests amendment for the proposed rulemaking to include an individual practitioner refusal or conscience clause.

Sincerely,

Mark A. Piasio, MD
President

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