

# SENATE BILL REPORT

## SB 5878

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As of January 21, 2004

**Title:** An act relating to the right of health care providers, carriers, and facilities to limit participation in or payment of services by reason of conscience or religion.

**Brief Description:** Protecting the right of health care providers, carriers, and facilities to limit participation in or payment of services by reason of conscience or religion.

**Sponsors:** Senators Prentice, Mulliken, Esser, Deccio, Regala, Parlette, Rasmussen and Stevens.

**Brief History:**

**Committee Activity:** Children & Family Services & Corrections: 2/26/03; 1/23/04.

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### SENATE COMMITTEE ON CHILDREN & FAMILY SERVICES & CORRECTIONS

**Staff:** Edith Rice (786-7444)

**Background:** Current law provides that no individual or organization with a religious or moral tenet opposed to a specific health care service may be required to purchase insurance coverage for that service if they object to doing so for reason of conscience or religion.

In August 2002, the Attorney General issued an opinion at the request of the Insurance Commissioner regarding the application of this law in the case of prescription contraceptives. Among other things, the opinion interprets the law to be "a limited right of conscientious objection" prohibiting only those situations where the employer is a direct party to the transaction. It indicates that "So long as the employer is not required to 'purchase' the coverage, however, there might be lawful ways of covering these costs through more indirect employer charges."

**Summary of Bill:** No individual or organization with a religious or moral tenet opposed to a specific health care service is required to purchase or otherwise provide insurance coverage for that service if they object to doing so for reason of conscience or religion.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.