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Arkansas Advocates for Children and Families opposes Senate Bill 289, which would allow health care workers to refuse treatment to people based on the health care worker's religious, moral, or ethical beliefs.

Arkansas Advocates for Children and Families has major concerns with this bill. Our biggest concern is the potential impact this bill could have on the health and well-being of children, especially those living in rural or more remote areas that may already have limited access to health care professionals and specialty services for children. Above all else, we must recognize that this bill will, in certain cases, allow providers and insurers to refuse to provide critical health care services for children who need them.

It could also impact the health and well-being of children in another way; by negatively impacting access to critical health care services for their parents. When parents are unable to access the critical health care services they need to promote their own health and well-being, their ability to work and meet the economic, health, and social-emotional needs of their children will also be negatively impacted. The effects of this bill will affect entire families. Any impacts this bill has on the health and well-being of parents will ultimately impact the well-being of their children as well.

In addition, it contains a number of serious deficiencies that pose a threat to the integrity and the ability of the Arkansas health care system for all Arkansans.

SB 289 lacks critical patient protections and is effectively an open license for medical providers and insurers to discriminate in health care based on a person's characteristics. This bill places unrestricted power in healthcare providers and insurers to determine what care is offered, discussed, or made available without any protections for discriminatory action or unethical behavior.

This bill, unlike the Mississippi and Illinois laws on which the bill is purportedly based, does not include a prohibition discriminating based on the person's characteristics, thus codifying into Arkansas law the right to discriminate with a health professional license.

The bill also fails on the standard of transparency. It allows providers and insurers to secretly decide what patients or services they "conscientiously" object to serving. The bill does not require providers and insurers to disclose to the patient this secret decision, to record such a decision in the medical record, or to refer the patient to another provider who could serve the patient.

At a minimum, disclosure of conscientious objection to patients and Licensing Board authority for disciplinary action should be incorporated into this bill.

Regardless of the intent of the authors, SB 289 could lead to morally indefensible and civically harmful actions and hurt the health and well-being of children, their parents, and families. Because of these reasons, Arkansas Advocates for Children and Families opposes this bill.