



**Testimony on Conscience Clause  
Board of Pharmacy  
March 10, 2006**

**Protection of Religious Freedom**

Good Afternoon Mr. Chairman and members of the Board. My name is Matt Muckler and I am the Legislative Director for the Washington State Catholic Conference, which represents the Catholic Bishops of the State of Washington on issues of public policy.

All people have an obligation to form their conscience and then to follow it. Simply put, an individual's conscience is the faculty by which one discerns what is right from what is wrong. In a pluralistic society such as ours, there are occasions when the observance of a civil law could cause persons to violate their conscience.

The United States has long recognized the right of its citizens to honor their conscience in the face of laws that contravene their religious beliefs. This right was granted in the First Amendment that upholds the right of all Americans to worship freely, unencumbered by state intrusion. Laws whose observance could cause people to violate their conscience often involve issues that are morally controversial in our society.

The central issue at stake is the protection of the religious freedom of individuals to provide services in a manner consistent with their moral beliefs. To recognize this moral dilemma a law can contain an exception for those who object to its mandated actions based on conscience. This is often called a "conscience clause."

In 1995, the Washington State Legislature passed legislation that stated, "the legislature recognizes that every individual possesses a fundamental right to exercise their religious beliefs and conscience. The legislature further recognizes that in developing public policy, conflicting religious and moral beliefs must be respected." (RCW 48.43.065)

Mandating that persons provide services to which they morally object would violate their right to exercise religious freedom guaranteed in both the federal and state Constitutions. In recent years, however, it has become increasingly clear that the rights of individuals to follow their conscience are not adequately protected by current statutes. An example of this would be requiring pharmacists to dispense drugs that would violate their conscience, drugs like Plan B, an emergency contraceptive that is a potential abortifacient.

Individuals do not lose their right to exercise their conscience once they enter the health profession. In order to fully protect pharmacists, this civil right must extend to pharmacists who may have to dispense a drug to which they conscientiously object. Legal recognition of the civil rights of pharmacists in no way infringes on the rights of patients. Patients have a right to receive health care services, but not a right to force any particular individual to provide them.

For generations of Americans it was unthinkable that one person would attempt to force another to act contrary to that person's religious conscience. Forcing people to choose between conscience and government has never been the American way. Thus, we have a tradition and a body of constitutional law that have protected the right to act in accord with one's conscience.

We ask that you respect the religious freedom established by our founders and enact a conscience clause for pharmacists.