

**TESTIMONY regarding HB 517 (Rep. Bernard LeBas)**

**“Protects persons from liability, discrimination, and employment action for refusing to provide certain health care services”**

House Civil Law & Procedure Committee, May 11, 2009

Senate Health & Welfare Committee, June 3, 2009

Madam Chairman, Members of the Committee:

My name is Dr. W. A. Krotoski. I am a physician and scientist, living in Baton Rouge for the past 25 years. I represent *The Hippocratic Resource*, a Louisiana-wide organization of physicians, dentists, nurses, therapists, scientists and other health professionals who recognize the importance of the Hippocratic Oath to Medicine.

The issue of health professionals’ consciences is intimately related to the Hippocratic Oath, which defines the practice of medicine and other health-related professions, regarding what can and cannot ethically be done for (or to) a patient. For the past 2,500 years, that Oath has successfully underpinned the ethics of compassionate health care, based on the realization that life, health and death are not an exclusively human issue, but one in which our Creator plays the ultimate role. The Hippocratic Oath has served as protection for both patients and physicians since almost 500 years before the birth of Christ, based on the underlying principle that has often been paraphrased as “Do no harm.”

According to all versions of the Oath commonly seen until the late 1970s and still extant today, it includes the following, original charge, as taken from the version promulgated by the American Medical Association when I took it in 1968:

**“I will follow that method of treatment which, according to my ability and judgment, I consider for the benefit of my patients, and abstain from whatever is deleterious and mischievous. I will give no deadly medicine to anyone if asked, nor suggest any such counsel; furthermore, I will not give to a woman an instrument to produce abortion,”**

This charge was reiterated in entirely similar language by the National Catholic Bioethics Center version in 1995, and is also virtually identical to that of the Louisiana State Medical Association currently (please see reverse)[next page].

Straying from these tenets – by becoming an abortionist, for example – has always been a cause for criticism, professional disdain, marginalization and exclusion, and, sometimes, legal action. **To do away with the philosophically and scientifically educated conscience that the Oath provides is to destroy the ethical practice of Medicine, and, as corollary, the ethical practice of the allied health professions.** This is analogous to what would happen were the ethical charge for “truth and honor” for the legal profession, or “integrity and independence” for the judiciary to be removed. **Yet, those who seek to eliminate conscience protections for physicians and others, seem unable to grasp that they will destroy the very protections that make health professionals’ life-and-health-preserving obligations and privileges safe for us all.**

Madam Chairman, and members of the Committee, I strongly urge you to afford *ethical* medical and allied health professionals that additional protection in our current social climate that Representative LeBas’ House Bill 517, does very well. Thank you very much!

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President  
*The Hippocratic Resource*, Baton Rouge,

# OATH OF HIPPOCRATES

(excerpted)

American Medical Association, 1968:

"I will follow that method of treatment, which, according to my ability and judgment, I consider for the benefit of my patients, and abstain from whatever is deleterious and mischievous. I will give no deadly medicine to anyone if asked, nor suggest any such counsel. I will not give to a woman an instrument to produce abortion."

National Catholic Bioethics Center, 1995:

**"I will follow that method of treatment, which, according to my ability and judgment, I consider for the benefit of my patient and abstain from whatever is harmful or mischievous. I will maintain the utmost respect for every human life from fertilization to natural death, and reject abortion that deliberately takes a unique human life."**

Louisiana State Medical Society (current):

"I will prescribe regimens for the good of my patients according to my ability and judgment, and to please no one will I prescribe a deadly drug, nor give advice which may cause death. Nor will I give a woman a pessary to produce abortion."