



ANTHONY G. BROWN, MARYLAND ATTORNEY GENERAL

PRESS RELEASE

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Media Contacts:
press@oag.state.md.us
410-576-7009

**Attorney General Brown Supports Biden Rule Blocking
Discrimination in Access to Healthcare**
*The Proposed Rule Would Rescind Portions of the Former Administration's
Discriminatory "Healthcare Refusal Rule"*

BALTIMORE, MD (March 7, 2023) – Maryland Attorney General Anthony G. Brown today expressed support for a proposed federal rule that protects access to healthcare for all individuals. The Proposed Rule rescinds portions of a dangerous 2019 Trump administration rule that allowed any individual or entity – from doctors to front-desk receptionists – to deny healthcare based on religious or moral objections, even in emergency situations. It also sought to coerce compliance from the states by threatening to rescind federal funding.

In today's comment letter, a coalition of 22 Attorneys General wrote that the Biden administration's Proposed Rule eliminates the problematic and illegal aspects of the 2019 Rule and better safeguards patients, including those from the LGBTQ community and those seeking abortions, from being denied access to critical or lifesaving health services.

"The idea that a person could be denied medical care, especially in a life-threatening situation, based on a provider's religious or moral objections is absurd, discriminatory, and dangerous," said Attorney General Brown. "Everyone deserves equal access to healthcare. We support the new Proposed Rule, as it restores many of the protections erroneously stripped away by the previous administration."

The 2019 Rule, also known as the "Healthcare Refusal Rule," allowed virtually anyone working in healthcare the ability to broadly refuse to provide care based on religious or moral beliefs. For example, if an ambulance driver learned a patient experiencing an ectopic pregnancy was seeking care that they were opposed to, the driver could decline to transport the patient, even if doing so would risk the patient's life. The 2019 Rule also threatened to cut off hundreds of billions of dollars in essential federal healthcare funding to the states for a single breach of the rule, in violation of the U.S. Constitution.

The Maryland Attorney General's Office, along with 23 other Attorneys General and county and local governments, sued the U.S. Department of Health and Human Services in early 2019 to stop implementation of the discriminatory Rule, which was successfully struck down by a federal

court in November 2019. In January this year, the Biden Administration announced a new proposed rule that seeks to rescind portions of the 2019 Rule.

In today's comment letter, the coalition expressed their support of the new proposed rule, arguing that:

- It protects vulnerable populations, including LGBTQ communities and people seeking reproductive care, by revoking the most dangerous parts of the 2019 Rule that opened them up to discrimination and threatened to exacerbate already existing inequities in healthcare;
- It strikes a better balance between safeguarding conscience rights of individual medical providers and protecting access to healthcare for patients;
- It corrects portions of the 2019 Rule that are redundant, confusing, or have been deemed illegal by courts in litigation brought by the states, as well as local governments and healthcare providers; and
- It protects billions of dollars in federal funding for states' public healthcare and other federally funded programs that provide crucial health, education, and labor services.

Joining Attorney General Brown in filing the comment letter are the Attorneys General of Arizona, California, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Washington, and Vermont.

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