



Written by [Raven Clabough](#) on June 28, 2017

## Pro-life Doctor Challenging Illinois Law That Forces Docs to Counsel Patients on Abortion “Benefits”

A pro-life doctor in Illinois is embroiled in a legal battle to challenge a 2016 law that requires all doctors, pharmacists, and pregnancy centers to assist women in obtaining abortions, regardless of whether the medical professionals are opposed to the procedure.



SB 1564 narrowly passed the Illinois House on party lines before being signed into law by Republican Governor Bruce Rauner. Under the law, which amends the state’s Health Care Right of Conscience Act, doctors are required to provide information to patients about the “benefits” of abortion. It indicates that medical personnel must “inform a patient of the patient’s condition, prognosis, legal treatment options, and risks and benefits of the treatment options in a timely manner consistent with current standards of medical practice.”

The law mandates that physicians who are unwilling to provide the requested service “because the healthcare service is contrary to the conscience of the healthcare facility, physician, or healthcare personnel” must refer the patient to someone who will.

But those opposed to abortion contend that asking them to refer patients to someone who will provide them abortion services continues to violate their consciences.

Besides the obvious implications the law has on abortion, the *National Review* [notes](#) that the law also impacts how medical professionals are to treat patients with gender dysphoria, as it requires physicians to counsel them on the “benefits” of sex reassignment. It would also require doctors to counsel terminally ill patients on assisted suicide, despite their moral opposition to it.

The law is being challenged by pro-life obstetrician Dr. Robert Lawler, who, in an appearance on Fox News’ *Tucker Carlson Tonight*, called the law “truly egregious” and pointed out that it violates conscience rights. “I’m an obstetrician, so by the very nature, I have two patients: the mother and a baby,” Lawler said. “And it’s ludicrous to think that I could refer my patients off, one to be executed and the other to be mortally wounded for the rest of her life with a sense of regret.”

For Dr. Lawler, rather than providing his patients information on abortion or referring them to someone who may provide that information, he would like to help his patients find an alternative to abortion. “I cannot and will not comply with this law that is a complete affront to my conscience beliefs — my firmly held religious beliefs — that life is sacred,” Lawler said. “I became a physician to help people, not to harm them.”



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Dr. Lawler is joined by two pregnancy help centers in the lawsuit against the Illinois law. They are being represented by the Thomas More Society.

In an [interview](#) with the Daily Wire, Notre Dame law professor Rick Garnett said the law appears to be an “imposition” on religious freedom:

In my view, the Illinois law is a misguided imposition upon the consciences and religious freedom of pro-life physicians. It is well established that the First Amendment protects not only the right to speak, but also the right not to be forced to be the mouthpiece for a message you reject.

The defenders of the Illinois law would insist that because abortion is, in their view, an accepted and sometimes indicated part of practicing medicine, the state is entitled, as part of its regulation and licensing of the profession, to require doctors to practice medicine competently and completely, and that includes abortion referrals. However, American law — even after *Roe* — has usually recognized the seriousness of doctors’ objections and the reasonableness of their disagreement. Unfortunately, that tolerant compromise might be breaking down in Illinois.

Those who violate the law face penalties, and Dr. Lawler expressed concern that the law will eventually be used to strip non-compliant physicians of their medical licenses during his conversation with Tucker Carlson. “I guess that’s where this is heading, isn’t it, down the road?” Lawler asked rhetorically.

Unfortunately, the Left does not believe that medical professionals have a right to conscientious objections, particularly when they are based on Christian values (i.e., pro-life, anti-transgenderism, pro-traditional marriage, etc.). Earlier this year, Bioethicist Ezekiel Emanuel and Ronit Y. Stahl, a fellow in Advanced Biomedical Ethics, co-authored an attack on medical conscience in the prestigious *New England Journal of Medicine*, in which they claim that personal morality should not exist in medicine. In their piece, “Physicians, Not Conscripts — Conscientious Objection in Health Care,” they write,

Making the patient paramount means offering and providing accepted medical interventions in accordance with patients’ reasoned decisions. Thus, a health care professional cannot deny patients access to medications for mental health conditions, sexual dysfunction, or contraception on the basis of their conscience, since these drugs are professionally accepted as appropriate medical interventions.

The authors use this rationale to justify forcing doctors to perform abortions because they claim that while abortion is politically controversial, it is “not medically controversial.”

Stahl and Emanuel ultimately conclude that there is no place in modern medicine for those who have conscientious objections:

Health care professionals who are unwilling to accept these limits have two choices: select an area of medicine, such as radiology, that will not put them in situations that conflict with their personal morality or, if there is no such area, leave the profession.

This attack on medical professionals who dare to take moral stands has taken various forms beyond what is taking place in Illinois at the moment.

Earlier this year, for example, the American Civil Liberties Union filed a [lawsuit](#) against a Catholic hospital in California, for refusing to perform an elective hysterectomy on a female who sought the procedure as part of her sex reassignment. And even though the Mercy San Juan Medical Center referred the plaintiff, Evan Minton, to another medical center, Minton claims that she was “discriminated against” because she is transgender.



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And doctors in Vermont are [required](#) to discuss assisted suicide with terminally ill patients even if they are opposed to such measures, thanks to a 2013 law signed by Democratic Governor Peter Schumlin. Legal efforts to challenge this law have been dismissed.

The problem goes beyond the United States, as well. In Victoria, Australia, a pro-life doctor was [disciplined](#) in 2013 for refusing to refer a patient for a sex-selective abortion under a law that states all physicians must either perform abortions or find another abortionist for the patient.

No law should ever force an individual to betray his or her own moral convictions. If Dr. Lawler's lawsuit against the Illinois law is successful, it will serve as one important victory in a war launched by the Left to use science and medicine as a weapon against conservative, Christian ideals.

Photo of pregnant patient: [Clipart.com](#)



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