

OCR Issues Final Rule on Safeguarding the Rights of Conscience

- The Office for Civil Rights (OCR) issued a final rule titled “Safeguarding the Rights of Conscience as Protected by Federal Statutes” (Final Rule), which is scheduled to be published in the Federal Register on January 11, 2024.
- The Final Rule partially rescinds the May 21, 2019, final rule (“2019 Final Rule”), while leaving in place the framework created by the February 23, 2011, final rule (“2011 Final Rule”). While the 2019 Final Rule never took effect, the new Final Rule does retain and modify some of its provisions.
- Federal statutes protect health care providers’ conscience rights and prohibit recipients of certain federal funds from discriminating against health care providers who refuse to participate in certain services based on moral objections or religious beliefs. Conscience protections apply to health care providers who refuse on religious or moral grounds to perform or assist in the performance of certain health care services.
- OCR encourages all entities subject to the Federal health care conscience protection statutes to post the model notice on their website, in a prominent physical location, in personnel handbooks or similar documents, in employment or participation applications, and in student handbooks, as applicable. See Appendix A of the Final Rule for the model notice text.
- The Final Rule is effective on or about March 11, 2024 (60 days after publication).

More on This Topic:

- [Final Rule](#)
- [2019 Final Rule](#)
- [2011 Final Rule](#)
- [Conscience and Religious Nondiscrimination](#)

For questions, please reach out to [Vicky Jucelin](#).

