



Testimony of  
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In Opposition to  
Raised S.B. 1380  
*AN ACT PROHIBITING DISCRIMINATION BY HEALTH CARE PROVIDERS  
IN THE PROVISION OF HEALTH CARE SERVICES IN THE STATE*  
Judiciary Committee  
Public Hearing Room 2C  
March 7, 2025

The Connecticut Catholic Public Affairs Conference, the public policy office of the Roman Catholic Bishops of Connecticut, urges the members of the Judiciary Committee to oppose S.B. 1380, *AN ACT PROHIBITING DISCRIMINATION BY HEALTH CARE PROVIDERS IN THE PROVISION OF HEALTH CARE SERVICES IN THE STATE*. This legislation runs the risk of subjecting medical providers to discrimination complaints, filed with the Commission on Human Rights and Opportunities, due to a denial of service based on their religious beliefs or professional judgment. The Conference believes no person should be denied necessary healthcare. S.B. 1380, however, raises serious issues concerning a medical provider's legitimate rights to deny services to a patient. This committee should recognize the fact that provision of medical services, which may require ethical and moral judgments, is very different than dealing with housing or employment discrimination.

S.B. 1380 does not contain a religious exemption provision similar in nature to those contained in other sections of the non-discrimination statutes, such as Sec. 46a-81aa. Catholic hospitals, doctors, nurse practitioners, physician assistants, nurses, and other health care providers could be required to provide gender-affirming care services or other procedures against their religious beliefs or face litigation. A low-testosterone transman (biological female) could demand that an endocrinologist provide testosterone hormone treatments against the religious beliefs of the doctor or the ethical and religious directives of the doctor's institutional employer. Likewise, a parent seeking hormone treatment, a mastectomy, penectomy, orchiectomy, or vaginoplasty for her child with gender dysphoria could demand these services from a doctor who refuses on account of their religious beliefs and who provides these services for patients with other needs, such as cancer treatment or reconstructive surgery. In both cases, a discrimination claim could be filed under this legislation.

Additionally, if this bill should become law, it would very likely conflict with the existing state regulation exempting providers who do not want to participate in any phase of an abortion<sup>1</sup>. Recent Senate Joint Resolutions No. 4 (2024) and No. 35 (2025) concern amendments to the Connecticut Constitution that define "sex" to mean the right to terminate a pregnancy and related "health care." While it is not intuitive to equate "sex" with abortion for S.B. 1380, it is not a difficult leap of logic to infer this given the meandering thought processes that produced S.J. No. 4 and S.J. No. 35. For example, a woman could

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<sup>1</sup> Regulations of Connecticut State Agencies, Sec. 19-13-D54(f).

demand that a doctor, who performs dilation and curettage procedures for miscarriages, perform a dilation and curettage procedure for a voluntary abortion. She could claim that the doctor discriminated against her on the basis of “sex.” The Commission on Human Rights could interpret “sex” broadly by claiming legislative intent included abortion in its meaning. Moreover, the State Constitutional Amendment contemplated by Senate Resolution No. 35 could be passed by voters. Either way, a doctor could be sued for discrimination for asserting their religious beliefs to refuse to participate in any phase of an abortion.

S.B. 1380 also raises a serious legal issue by the inclusion of “age” in the categories of discrimination in relation to medical procedures. There is no limit on age in this anti-discrimination bill, so a minor cannot be denied any medical treatment because of age, unless it is clearly in opposition to some standard of care. Fertility treatments could not be denied based on age, old or young. Denial of gender-affirming care because of age would be open to legal challenge and the provider subject to a discrimination complaint. How passage of this legislation would impact parental consent by the inclusion of “age” is not addressed in this legislation.

The phrase “professional standard of care” is also not adequately defined in this legislation. Is the “standard of care” a standard established by a national or international health association? Is it a standard established by federal or state standards? This term needs to be more clearly defined, especially since it would be a key component in any complaint filed with the CHRO. A prime example is the treatment of minors with gender dysphoria, which is a constantly evolving aspect of medicine, with conflicting beliefs, nationally and internationally, on what constitutes the correct standard of care.

Also, noteworthy and vague is the phrase: “Nothing in this section shall be construed to require the delivery of futile health care.” Futile health care needs further definition. One could argue that cosmetic penectomies and orchiectomies are futile, since a person cannot change sex. At what point would a doctor be able to determine when futility of care begins? Overly broad language should be avoided.

The question should also be raised as to whether the CHRO is the correct organization to oversee such complaints. Establishing discrimination surrounding the provisions of medical services would require medical expertise, knowledge of the services, and the related “standard of care.” Does the CHRO have staffing with such knowledge? Overseeing the medical community and delivery of services is very different than settling a claim related to housing or employment.

Again, the Catholic Conference realizes there are legitimate discrimination concerns in the delivery of healthcare services. The Conference, however, believes that S.B 1380 is an overly broad approach to solving problems that may exist. S.B. 1380 may lead to unanticipated negative consequences, including an infringement on religious beliefs.

For these reasons, and the potential for other unanticipated legal challenges that may arise, the Connecticut Catholic Public Affairs Conferences urges the Judiciary Committee to reject S.B. 1380 as currently drafted.

