

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 571 (Formerly HSB 139)	House Committee:	PASSED February 20 '25 (13-4)
Committee:	Judiciary	House Floor:	PASSED March 26 '25 (64-32)
Floor Manager:	Rep. Gustoff		PASSED March 23, '26 (63-27)
Date:	May 12, 2026	Senate Floor:	PASSED March 9 '26 (30-16)
Staff:	Amanda Wille (1-5230)	Governor:	

Medical Right of Conscience

- Protects the moral, ethical, or religious beliefs of medical practitioners, and health care institutions.

Section by Section Analysis

Section 1- Short Title

This act shall be known as the Medical Ethics Defense Act

Section 2- Definitions (135S.1 New Section)

Defines "conscience" as the ethical, moral, or religious beliefs held by medical practitioners, or health care institutions. Specifies that for entities, "conscience" is determined by their governing documents.

Defines "discrimination" as adverse actions taken against these entities for refusing to participate in health care services based on their conscience, while excluding certain actions related to insurance negotiations or good-faith accommodations.

Section 3- Exercise of Conscience for Health Care Institutions, and Medical Practitioners- Exception (135S.2 New Section)

Medical practitioners, and health care institutions have the right to not participate in health care services that violate their conscience.

They shall not be discriminated against for their conscience.

Health care payor cannot decline to pay for services due to a practitioner, or institutions refusal to participate in a health care service, if the health care payor is contractually obligated.

This does not relieve a health care institution from providing emergency medical services.

A practitioner, institution, or health care payor that holds itself out as religious based does not have to make employment, contracting, or admitting privileges inconsistent with the religious beliefs.

Section 4- Exercise of Conscience- Immunity (135S.3. New Section)

Medical practitioners, or health care institutions are granted immunity from civil, criminal, or administrative liability for exercising their conscience.

If a medical practitioner, who is employed or contracted by a health care institution, exercises their conscience and refuses to participate in a health care service, the institution itself cannot be held liable for that refusal.

Section 5- Whistleblower Protections (135S.4)

Establishes protections for medical practitioners, and health care institutions against discrimination for engaging in whistleblower activities. It prohibits adverse actions against these entities for providing information about suspected violations of the bill, testifying in related proceedings, or assisting in such proceedings.

The section also protects them from discrimination for disclosing information that they reasonably believe indicates violations of laws, standards of care, or ethical guidelines, as well as issues like gross mismanagement or threats to public health. These protections do not exempt individuals from complying with federal privacy laws, such as the Health Insurance Portability and Accountability Act (HIPAA).

Section 6- Free Speech Protections- Notification of Complaints- Penalty (135S.5 New Section)

These entities cannot be reprimanded, sanctioned, or have their licenses revoked for engaging in such protected activities unless it can be demonstrated by clear and convincing evidence that their speech directly caused physical harm to a patient or client within the preceding three years.

Within 21 days of receiving a complaint alleging a violation of these speech protections, the relevant licensing authority must provide the accused entity with a copy of the complaint. If the authority fails to do so within this timeframe, it incurs a penalty of \$500 for each day of noncompliance.

The state is prohibited from contracting with or recognizing any medical practitioner, institution, or payor that has had their certification or credential revoked or refused if they are in compliance with the chapter and did not provide medical advice or treatment to a patient or client.

Section 7- Unlawful Interference- Relief (135S.6 New Section)

Makes it illegal for any person to interfere or attempt to interfere with the exercise of conscience, whistleblower rights, or free speech protections outlined in the bill. It allows health care institutions or medical practitioners who experience unlawful interference to bring a civil action in a court of competent jurisdiction. If the court finds a person liable for such interference, it may grant various forms of relief

Any additional burden or expense resulting from another entity's exercise of conscience cannot be used as a defense against violations of this chapter. Lastly, it prohibits civil actions against individuals who choose not to use or purchase health care services based on the conscience of a medical practitioner, health care institution, or payor.

Section 8- Severability (135S.7 New Section)

If any provision of the chapter or its application to any person or circumstance is found to be invalid, that invalidity will not affect the remaining provisions or applications of the chapter.

Amendment Analysis