



# Board of Professional Counselors and Therapists

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

Nicki Drotleff, Board Chair – Tony W. Torain, Executive Director  
4201 Patterson Avenue, Baltimore MD 21215, 410-764-4732

## 2022 SESSION POSITION PAPER

**BILL NO:** HB 1364  
**COMMITTEE:** House Health and Government Operations  
**POSITION:** Oppose

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**TITLE:** Health Care Freedom of Conscience Act

**BILL ANALYSIS:** This bill will authorize health care providers and practitioners to decline to participate in a health care service that violates their conscience; authorize health care payors to decline to pay for health care services or products that violate their conscience; establish certain civil, criminal, and administrative immunity; and prohibit a unit of State or local government or a person from discriminating against health care providers or practitioners, or health care payors and certain other persons because the person declines to take certain actions that violate their conscience.

**POSITION AND RATIONALE:**

The State Board of Professional Counselors and Therapists (the Board) opposes House Bill (HB) 1364 - Health Care Freedom of Conscience Act.

As licensed health care providers, we are ethically bound to practice patient/client-centered care which, by definition, this bill is written to violate that code. A core part of providing ethical patient/client-centered care is to ensure that the provider does not impose their own values on the treatment process. We are called on by our code of ethics and treatment modalities to respect patient/client choice over their own lives. It has never been the health care provider's position to judge our patient's/client's free will to determine their own goals, values and beliefs or to impose judgements on them. This bill is a direct contradiction to our ethical and legal practice, and will violate every board's anti-discriminatory laws and regulations. By the nature of patient/client driven care and services, we recognize, support, protect and honor our patient's/client's free will and support them in meeting their personal goals and aspirations as determined by them, not the counselor or therapist.

The Board strongly opposes HB 1364 and respectfully urges an unfavorable report.

If you'd like to discuss this further, please contact Tony W. Torain, J.D., Executive Director, at 410-764-4732 or at [tonyw.torain@maryland.gov](mailto:tonyw.torain@maryland.gov).