

September 24, 2008

Secretary Michael O. Leavitt  
US Department of Health and Human Services  
200 Independence Avenue, SW  
Washington DC20201

**RE: Comments on Health and Human Services -- “Provider Conscience Regulation” – Notice of Proposed Rulemaking, 73 Fed. Reg. 50274, August 26, 2008.**

Dear Secretary Leavitt:

I am writing to express my concern regarding the proposed ***Provider Conscience Regulation***, which has the potential to threaten women’s access to essential reproductive health services.

The United States already has one of the highest maternal mortality rates among industrialized countries. In recent years, it has also witnessed disquieting trends in the rates of sexually transmitted infections and unwanted pregnancies, particularly in disadvantaged groups. These are all suggestive of unmet need in terms of reproductive healthcare. Key to this is a lack of access to needed services, particularly in underserved areas and populations.

As it is written, the Provider Conscience Regulation could easily contribute to further erosions of access to vital reproductive health services. Providers working in rural regions or in underserved urban communities who refuse to provide reproductive health services, particularly contraception, would only contribute to the already unsatisfactory reproductive health indicators found in the United States. Nearly all medical and public health evidence runs contrary to this type of regulation, as it will add unnecessary barriers to women seeking care and can only lead to reduced rates of reproductive health service utilization, which in turn can be expected to lead to undesirable health indicators.

It is my hope that this Regulation will be seriously reconsidered. While it is admirable that you seek to protect the consciences of those who provide or assist in the provision of objectionable procedures, this desire must also be weighed against the very great potential to harm a much more significant number of women. Reproductive health care, whether it comes in the form of providing contraception or post-abortion care, is essential not only to preventing unwanted pregnancies, but also to preventing maternal mortality, morbidity, infertility, etc. These are very serious consequences that should trump an uncertain conscience.

Sincerely,  
Catherine Pirkle