

**BILL SUMMARY**  
1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 875</b>
<b>Version:</b>	<b>FA2</b>
<b>Request Number:</b>	<b>8300</b>
<b>Author:</b>	<b>Rep. Kevin West</b>
<b>Date:</b>	<b>4/26/2023</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

**Research Analysis**

The floor substitute for SB 875 creates the Medical Ethics Defense Act, which establishes a framework of seven points:

- **Freedom of Conscience:** Which allows a medical practitioner, healthcare institution, or healthcare payer the right not to participate in or pay for any medical procedure or service which violates their conscience.
- **Limitations:** Which establishes that the exercise of the right of conscience is limited to conscience-based objections to a particular medical procedure or service.
- **Immunity from Liability:** Which grants immunity from civil, criminal, or administrative liability to any medical practitioner, healthcare institution, or healthcare payer for exercising their right of conscience not to participate in or pay for a medical procedure or service.
- **Discrimination:** Which establishes that no medical practitioner, healthcare institution, or healthcare payer shall be discriminated against in any manner as a result of their decision to decline to participate in or pay for a medical procedure or service on the basis of conscience.
- **Exception:** Which allows any religious medical practitioner, healthcare institution, or healthcare payer that holds itself out to the public as religious the right to make employment, staffing, contracting, and admitting privilege decisions consistent with its religious beliefs.
- **Opt-In Required:** Which A health care practitioner may not be scheduled for, assigned, or requested to directly or indirectly perform, facilitate, refer for, or participate in an abortion unless the practitioner first affirmatively consents in writing to perform, facilitate, refer for, or participate in the abortion.
- **Emergency Medical Treatments:** Which prevents language in the measure from being construed to override the requirement to provide emergency medical treatment to all patients set forth in state and federal law.

The measure establishes protections under this framework for medical practitioners, healthcare institutions, and healthcare payers. Additionally, the measure implements guidelines for disclosures, civil actions for damages, injunctive relief, and reprimand by licensing boards.

**CHANGES BETWEEN COMMITTEE SUBSTITUTE AND FLOOR SUBSTITUTE**

Sheds original language, and recategorizes the measure under [63 O.S. B-2](#).

Prepared By: Matthew Brenchley

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: House Fiscal Staff

**Other Considerations**

None.

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