

As Adopted by the House

**129th General Assembly
Regular Session
2011-2012**

H. C. R. No. 35

Representatives Stautberg, Sears

Cosponsors: Representatives Adams, J., Adams, R., Amstutz, Anielski, Baker, Speaker Batchelder, Representatives Beck, Blair, Blessing, Boose, Brenner, Bubp, Buchy, Butler, Combs, Conditt, Damschroder, Derickson, DeVitis, Dovilla, Duffey, Gardner, Gonzales, Goodwin, Grossman, Hackett, Hagan, C., Hall, Hayes, Henne, Hill, Hottinger, Huffman, Johnson, Kozlowski, Landis, Maag, Martin, McClain, Newbold, Pelanda, Peterson, Roegner, Rose, Rosenberger, Ruhl, Schuring, Slaby, Sprague, Stebelton, Terhar, Thompson, Uecker, Wachtmann, Young

CONCURRENT RESOLUTION

To urge the President of the United States to direct 1
the Secretary of Health and Human Services to 2
rescind the rule requiring religious employers to 3
include contraceptive services in their health 4
insurance plans in violation of their religious 5
beliefs and to urge members of the United States 6
Congress to enact the "Respect for Rights of 7
Conscience Act." 8

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE
OF OHIO (THE SENATE CONCURRING):**

WHEREAS, In August 2011, the United States Department of 9
Health and Human Services issued an interim final rule regarding 10
health insurance coverage for preventive services for women 11
pursuant to the "Patient Protection and Affordable Care Act" Pub. 12
L. No. 111-148; and 13

WHEREAS, The interim rule defined preventive services to 14
include sterilization, contraceptive services (including some 15
abortion-inducing drugs), and education and counseling to promote 16
these services among all women of reproductive capacity; and 17

WHEREAS, On January 20, 2012, the Department announced that 18
the final rule will require nonprofit employers who, based on 19
religious beliefs, do not currently provide contraceptive coverage 20
in their insurance plans, to comply with the new law by August 1, 21
2013; and 22

WHEREAS, As Thomas Jefferson stated in 1809, "[n]o provision 23
in our Constitution ought to be dearer to man than that which 24
protects the rights of conscience against the enterprises of the 25
civil authority"; and 26

WHEREAS, Respect for conscience and religious liberty are 27
deeply embedded in the history and traditions of our nation and 28
codified in the First Amendment to the United States Constitution 29
and numerous state and federal laws; and 30

WHEREAS, Never before has the federal government forced 31
individuals and organizations to go into the marketplace and 32
purchase a product that violates their consciences; and 33

WHEREAS, Implementing this rule departs from the 34
long-standing federal policy of exempting individuals and 35
organizations from having to take part in health services that 36
violate their religious beliefs or moral convictions; and 37

WHEREAS, Implementing the rule will force organizations that 38
play a vital role in providing health care and other needed 39
services either to violate their consciences or severely curtail 40
those services to the detriment of both religious freedom and 41
access to health care; and 42

WHEREAS, Forcing Americans to choose between violating their 43
consciences and forgoing their health care is an unconscionable 44

attack on both access to health care and on religious freedom; now 45
therefore be it 46

RESOLVED, That we, the members of the 129th General Assembly 47
of the State of Ohio, in adopting this resolution, urge the 48
President of the United States to direct the Secretary of Health 49
and Human Services to rescind the rule that would force an 50
employer to offer health insurance coverage that violates the 51
employer's religious beliefs or moral convictions; and be it 52
further 53

RESOLVED, That we also urge the members of the United States 54
Congress to enact the "Respect for Rights of Conscience Act" (H.R. 55
1179 and S. 1467), which declares that nothing in the "Patient 56
Protection and Affordable Care Act" is to be construed to 57
authorize a health plan to require a health care provider to 58
provide, participate in, or refer for a specific item or service 59
contrary to the provider's religious beliefs or moral convictions; 60
and be it further 61

RESOLVED, That the Clerk of the House of Representatives 62
transmit duly authenticated copies of this resolution to the 63
President of the United States, to the United States Secretary of 64
Health and Human Services, to the Speaker and Clerk of the United 65
States House of Representatives, to the President Pro Tempore and 66
Secretary of the United States Senate, to the members of the Ohio 67
Congressional delegation, and to the news media of Ohio. 68