



UC Is Still Restricting Health Care Based on Religion:

Take Action!

In May 2019, UCSF abandoned plans for an extensive affiliation with Dignity Health, a hospital system that makes health care decisions based on religious doctrine rather than the needs of patients. Members of the UC community and others who had asked UC to live up to its values as a public institution by dropping the deal were grateful and relieved.

But this issue is not over!

It turns out that *every single UC campus with a medical center* has already made agreements with religious hospitals that include language specifically requiring UC providers to comply with religious restrictions on care.

Also, right now a new UC task force is writing guidelines for affiliations between UC medical centers and other hospitals. UCSF has said it is still seeking to partner with Dignity Health on services such as psychiatry, primary care, and cancer care, all of which can be affected by the religious restrictions imposed by Dignity Health and other hospital systems.

Hospitals that base care on religious doctrine deny patients reproductive health care and discriminate against transgender patients

Catholic health care systems and facilities like those in the Dignity Health and St. Joseph networks must follow religious directives issued by the United States Conference of Catholic Bishops. These directives explicitly prohibit hospitals from providing a range of comprehensive reproductive health services, including contraception, sterilization, and abortion. They even go so far as to characterize these procedures as “inherently evil.” Patients in Catholic hospitals have been denied much-needed care, including tubal ligations (getting their “tubes tied”) after giving birth and urgent treatment for miscarriage and ectopic pregnancy.

Catholic bishops also deny the existence of transgender people and prohibit them from receiving gender-affirming care in Catholic facilities. In fact, procedures that are routinely performed for cisgender patients in Catholic facilities have been systematically denied for transgender patients. A California court recently ruled that Evan Minton was discriminated against when a Dignity Health hospital canceled his gender-affirming hysterectomy.

Patients of color are negatively affected by Catholic health care restrictions

Patients of color, low-income patients, and others who experience systemic barriers to health care access are most in need of quality, comprehensive care, including reproductive health care and bias-free care for LGBTQ people. But research shows that pregnant people of color are already more likely than white people to give birth at Catholic facilities, meaning they are more likely to receive care that is

dictated by religious doctrine rather than evidence-based medicine, exacerbating existing health disparities. To properly serve these communities, UC should be working to ensure patients are free from religious restrictions, not sending UC patients and providers to Catholic facilities where they cannot obtain or provide comprehensive patient-centered care.

Contract language explicitly states that students and providers are restricted by Catholic directives

Although UC representatives repeatedly stated in spring 2019 that UC providers placed in Dignity Health facilities would not be prevented from treating patients in accordance with UC's mission and legal obligations, in fact every UC campus with a medical center has already entered into contracts that explicitly tie the hands of UC providers and require them to comply with religious doctrine.

- A current training agreement between Dignity Health and the UCSF schools of Medicine, Nursing, and Pharmacy specifically lists prohibited procedures, including “promotion of contraception” and treatment for victims of sexual assault under certain circumstances. Students participating in the training must sign a “Declaration of Responsibilities,” stating that they agree to conform to the policies and procedures of the training site.
- UC Davis, UC Irvine, UCLA, UC Riverside, and UC San Diego also have either current or former contracts that impose religious restrictions on care and, in some instances, require students and providers to sign agreements stating that they will comply with the policies of the religious institution.

UC must maintain its commitment to providing unbiased, comprehensive care

UC prides itself on being at the forefront of reproductive health and LGBTQ-inclusive care, as shown through a variety of written principles, commitments, and dedicated clinical programs. As threats to reproductive health care access continue to escalate at the national level, and more barriers are erected against LGBTQ individuals seeking care, UC must firmly recommit to its principles of inclusive, unbiased care.

UC is a public institution, and any affiliation that subjects its providers and patients to religious restrictions on care violates a range of state and federal laws. To live up to its values and meet its legal obligations, UC must terminate the existing contracts that involve religious restrictions on care. It must also refrain from entering into any new arrangements that would subject UC faculty, staff, trainees, students, or patients to religious restrictions on care.

Help us stop UC from restricting health care based on religion

Spread the word and sign the petition from UC campus leaders to demand UC's accountability! Follow the link here: <http://bit.ly/PetitionUCDignity>

For more information, please reach out to Amanda at ayoung@aclunc.org.

See the [All Care Everywhere \(AllCareEverywhere.com\)](http://AllCareEverywhere.com) campaign for more information about patients who have been denied care in Catholic hospitals. *All Care Everywhere* is a campaign led by the ACLU Foundations of California and the National Health Law Program to make sure all Californians get the health care they need.

Addendum: Contracts

Excerpts from existing and previous UCSF contracts with Dignity Health

Educational Training Agreement between Dignity Health and UCSF School of Medicine, School of Nursing and School of Pharmacy, (UCSF medical, nursing and pharmacy student receive field experience at Dignity Health facilities), *effective 9/1/2018 to 8/31/2020*

Part V

EDUCATIONAL TRAINING AGREEMENT

Student Declaration of Responsibilities

1. _____, hereby state, represent and agree that:
(Student Name)
1. I am eighteen (18) years of age or older, or my parent has reviewed this contract and agrees by signing below.
2. I am a student enrolled in the _____ program ("*Program*") of _____ ("*School*"), and as such I am participating in the School's clinical and/or non-clinical rotation and experience program ("*Field Experience*") at _____ ("*Training Site*").
3. I agree to provide proof of my immunity to (serological testing or proof of adequate vaccination or current immunization): Rubella; Rubella; Mumps; Varicella zoster; Diphtheria, Tetanus, and Pertussis (Tdap); Hepatitis B status screening (or signed statement declining series); Influenza (proof of shot or declination; if declination, I will be required to wear a mask at all times while in the Training Site as mandated by the Training Site's policies); and any other immunization required by Training Site of its employees. In addition, I agree to provide proof of a negative result to a seven (7) panel drug screen consistent with testing done on Training Site employees but no less than a seven (7) panel drug screen, a negative PPD skin test or chest x-ray taken within the last twelve months prior to participation in the Field Experience, consistent with that required of Training Site employees. Documentation of compliance with the aforementioned requirements will be provided to Training Site prior to beginning the Field Experience.
4. I agree to conform to all applicable Training Site policies and procedures (including, but not limited to, the Dignity Health Network Usage Policy and the Training Site's Dress Code), and such other requirements and restrictions as may be mutually specified and agreed upon by the Training Site Primary Contact and the School.

Part VII

COMPLIANCE WITH STANDARDS

A. Prohibited Procedures.

School shall not perform and shall cause each Student and Instructor not to perform the following procedures in connection with the Field Experience at Training Site:

1. Direct abortion (even in the case of extrauterine pregnancy);
2. Heterologous fertilization;
3. Homologous artificial fertilization;
4. Participation in contracts or arrangements of surrogate motherhood;
5. Physician-assisted suicide or aid-in-dying;
6. Promotion of contraceptive practices;
7. Direct sterilization of any individual, whether temporary or permanent, unless approved in advance and in writing by Dignity Health and/or Training Site, consistent with Training Site policy;
8. Treatments for a sexual assault victim that have as their purpose or direct effect the removal, destruction or interference with implantation of a fertilized ovum (although prevention of ovulation, sperm capacitation or fertilization is permitted in the absence of evidence that conception has occurred); and
9. Use of human tissue obtained by direction abortions (including for research and/or therapeutic purposes).

Professional Services Agreement between UCSF School of Medicine and Dignity Health St. Mary's Medical Center (UCSF cardiologists provide cardiology services at St. Mary's Medical Center), *effective from 2/10/12 to 2/12/14*

9.3 Compliance with Hospital Standards:

(a) **Ethical Principles, Policies and Practices.** UCSF acknowledges that Hospital and any service or activity operated or sponsored by Hospital is governed by the Ethical and Religious Directives for Catholic Health Facilities, as adopted and amended by the United States Conference of Catholic Bishops from time to time (the "Directives"), a copy of which will be provided to UCSF. UCSF's Physicians shall perform their respective obligations under this Agreement in a manner consistent with the Directives.

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Excerpts from existing and previous UCLA contracts with Dignity Health

Emergency Department Coverage Agreement Dignity Health's California Hospital Medical Center and UCLA School of Medicine, *effective 2/1/2019 to 1/31/2020*

2.5 Laws and Standards. Entity and each Physician shall comply with the following, as amended from time to time, to the extent applicable to the provision of Services under this Agreement: (a) the Statement of Common Values, as adopted by Dignity Health and, if Hospital is a Catholic-sponsored facility, the Ethical and Religious Directives for Catholic Health Facilities, as adopted by the United States Conference of Catholic Bishops; (b) Hospital's corporate integrity program and any Dignity Health Corporate Integrity

EMERGENCY DEPARTMENT COVERAGE AGREEMENT (ENTITY)

Exhibit 2.5(a) – Prohibited Procedures

Entity shall not perform and shall cause each Physician not to perform the following procedures in connection with the provision of Services at Hospital:

1. Direct abortion (even in the case of extrauterine pregnancy);
2. Heterologous fertilization;
3. Homologous artificial fertilization;
4. Participation in contracts or arrangements of surrogate motherhood;
5. Physician-assisted suicide or aid-in-dying;
6. Promotion of contraceptive practices;
7. Direct sterilization of any individual, whether temporary or permanent, unless approved in advance and in writing by Dignity Health and/or Hospital, consistent with Hospital policy;
8. Treatments for a sexual assault victim that have as their purpose or direct effect the removal, destruction or interference with implantation of a fertilized ovum (although prevention of ovulation, sperm capacitation or fertilization is permitted in the absence of evidence that conception has occurred); and
9. Use of human tissue obtained by direction abortions (including for research and/or therapeutic purposes).

Educational Training Agreement between Dignity Health and UCLA School of Nursing, *effective 9/1/2017 to 8/31/2019*

4.3 Standards. It is understood and agreed that Students and Instructors shall comply, to the extent applicable to the Field Experience, with the Statement of Common Values, as adopted by Dignity Health ("*Statement*"), and, if Training Site is Catholic-sponsored, with the Ethical and Religious Directives for Catholic Health Care Services, as adopted by the United States Conference of Catholic Bishops ("*Directives*"). A copy of the Statement and/or Directives may be obtained from Training Site's administration.

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Excerpts from existing UC Davis contracts with Dignity Health

Student Training Agreement for Nurse Practitioner and Physician Assistant Program between Dignity Health-Sequoia Hospital and UC Davis Health System, effective 7/1/2016

13.2 Ethical Principles, Policies and Practices.

It is understood and agreed that Hospital as a Division of Dignity Health, operates as an extension of the religious works of Dignity Health's Religious Sponsors. Therefore, it is understood and agreed that the policies and practices of Hospital shall conform to the principles inherent in the *Ethical and Religious Directives for Catholic Health Care Services* incorporated herein by reference. Such principles and their application shall include, but are not limited to the following:

- (a) Dignity. Hospital is firmly committed to fostering the innate dignity of the human person, and to the belief that such dignity deserves of respect and protection regardless of the nature of the person's health condition or social status.
- (b) Informed Decisions. Hospital promotes the individual's right to make free and informed decisions regarding medical treatment and procedures. No person should be obliged to submit to a procedure that the person has judged not to provide a reasonable hope of benefit without imposing excessive risks and burdens on the patient or excessive expense to family and community.
- (c) Permitted Activities. No activities or procedures shall be permitted within Hospital's facilities, which are contrary to the Ethical and Religious Directives.
- (d) Medical Staff Responsibilities. Except as provided above, matters of general medical policy shall be the initial responsibility of physicians, functioning within Medical Staff Bylaws.

Educational Training Agreement for Clinical and/or Nonclinical Rotations and Experience Between Dignity Health-St. Joseph's Behavioral Health Center and UC Davis School of Medicine, effective 9/10/2015

4.3 Standards. It is understood and agreed that Students and Instructors shall comply, to the extent applicable to the Facility Experience, with the Statement of Common Values, as adopted by Dignity Health, and, if Facility is Catholic-sponsored, with the *Ethical and Religious Directives for Catholic Health Care Services*, as adopted by the United States Conference of Catholic Bishops.

Excerpt from previous UC Irvine contract with St. Joseph Health

Affiliation Agreement between UC Irvine School of Medicine and St. Joseph Hospital of Orange Department of Obstetrics and Gynecology (Gynecology Oncology Fellowship), effective 6/1/2016 to 5/31/2019

Patient Care. Pursuant to Section 70713 of Title 22, SCHOOL understands and agrees that Hospital, with its Medical Staff, retains professional and administrative responsibility for services rendered to Hospital patients. Further, SCHOOL shall conduct its activities in providing services hereunder consistent with relevant law and regulation, the Medical Staff Bylaws, the Medical Staff Rules and Regulations, Hospital policy and procedures, Emergency Medical Treatment and Labor Act ("EMTALA"), Title 22, the standards and requirements under the Joint Commission ("JC"), professional standards, Hospital philosophy and values and the Ethical and Religious Directives for Catholic Health Care Services. The parties understand and agree that this provision is intended to fulfill requirements of JC and state law and is not intended to modify the independent contractor relationship, nor mutual indemnification requirements between the parties herein.

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Excerpt from existing UC Riverside contract with Dignity Health

AAMC Uniform Clinical Training Affiliation Agreement between UC Riverside School of Medicine and Dignity Health Marian Regional Medical Center (Santa Maria and Arroyo Grande Campuses), *effective 7/11/2018*

Section A.6. shall be modified to require SCHOOL to advise students that HOST AGENCY'S rules, regulations and policies shall include (a) the Statement of Common Values, as adopted by Dignity Health and, if HOST AGENCY is a Catholic-sponsored facility, the Ethical and Religious Directives for Catholic Health Facilities, as adopted by the United States Conference of Catholic Bishops; (b) HOST AGENCY'S corporate integrity program and any Dignity Health Corporate Integrity Agreement(s); (c) Dignity Health's Standards of Conduct; (d) HOST AGENCY'S medical staff bylaws, rules and regulations, and (e) all applicable federal, state, and local laws and regulations.

Excerpt from existing UC San Diego contract with Dignity Health

Educational Training Agreement between UC San Diego School of Medicine and Dignity Health- Clinical Education, *effective 2/4/2018 to 1/31/2020*

4.3 Standards. It is understood and agreed that Students and Instructors shall comply, to the extent applicable to the Field Experience, with the Statement of Common Values, as adopted by Dignity Health ("**Statement**"), and, if Training Site is Catholic-sponsored, with the Ethical and Religious Directives for Catholic Health Care Services, as adopted by the United States Conference of Catholic Bishops ("**Directives**"). A copy of the Statement and/or Directives may be obtained from Training Site's administration.

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