

TESTIMONY BY THE NATIONAL ASSOCIATION OF SOCIAL WORKERS,
WISCONSIN CHAPTER EXECUTIVE DIRECTOR MARC HERSTAND ON
ASSEMBLY BILL 207 BEFORE THE SENATE COMMITTEE ON HEALTH,
CHILDREN, FAMILIES, AGING AND LONG TERM CARE ON SEPTEMBER 15,
2005

The Wisconsin Chapter of the National Association of Social Workers strongly opposes Assembly Bill 207. NASW WI believes that this bill violates the rights of patients to receive competent services that allow them to make fully informed medical choices. Under this bill patients can be denied services including access to information, referrals or prescriptions.

As a profession that serves the underserved in society, we oppose AB 207 because it violates our number one ethical value, service. “Social workers elevate service to others above self-interest” (NASW Code of Ethics). Like physicians we are often in the position of power, we must be careful that our actions and words do not coerce or pressure a client into a different course of action. Our NASW Code of Ethics clearly states that the social worker “should not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political or business interest.” AB 207 would allow pharmacist, physicians and registered nurses to exploit their patients for their own religious interest.

Clients have the right to information. In terms of end of life decisions, NASW’s policy manual, *Social Work Speaks*, states “Competent individuals should have the opportunity to make their own choices but only after being informed of all options and consequences” (2003, p. 48). Under this bill a physician can refuse to give the client information if it is against his creed regarding those 8 medical procedures. The bill will

allow medical professionals to block clients from making informed choices. We believe that even when a social worker cannot provide services for a client because of some moral, personal or professional conflict, “he or she has a professional obligation to refer patients and their families to competent professionals who are able to address” the issues (Social Work Speaks, page 48). If the physician cannot comply with the patients needs for information, then the physician has a duty to, at the very minimum, refer the client to an individual who can provide the client the services he or she needs.

As social workers we cannot choose to only refer clients to resources that fit within our own personal creed. If physicians, registered nurses or pharmacist do not want to comply with certain procedures, than they should find employment where this is acceptable or find a different profession.

In addition to the references to the *NASW Code of Ethics* and *Social Work Speaks*, if a certified or licensed social worker in the State of Wisconsin refused to provide services to a client including information or referral, in accordance with MPSW 20, the Social Workers Section could charge this social worker with gross negligence and take disciplinary action (Wisconsin Statutes and Administrative Code, August 2004)

The proponents of this bill wish us to believe that it is about protecting physicians, registered nurses and pharmacists from discrimination based on their creed. However, medical agencies do not currently discriminate against the person based on the individual’s creed. They make hiring and firing decisions based on the individual’s ability to serve the clients and perform the basic functions for which he or she was/will be hired. It is our understanding that this bill would prohibit healthcare agencies from making hiring and firing decisions based on an individual’s willingness to perform basic

functions of the job. Thus even fertility and abortion clinics could be forced to hire and retain employees who refuse to perform any of the eight procedures listed in the bill.

Please consider carefully the impact this bill could have. We do not want it to set a precedent for other professions. Once again we urge you to vote in opposition to AB 207.

References

National Association of Social Workers (1999) *Code of Ethics of the National Association of Social Workers*, NASW Press, Washington, DC

National Association of Social Workers (2003) *Social Work Speaks*, NASW Press, Washington DC

Wisconsin Statutes and Administrative Code Relating to the Practice of Marriage and Family Therapy, Professional Counseling and Social Work, MPSW 20 Conduct, August 2004