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Conscientious Objection - 2013

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28/11/2013

1. Doctors (medical practitioners) are entitled to have their own personal beliefs and values, as are all members of society. There may be times, however, where a doctor's personal beliefs conflict with their peer-based professional practice. In exceptional circumstances, and as a last resort, a doctor may refuse to provide, or participate in, certain medical treatments or procedures that conflict with his or her own personal beliefs.^[1]

2. A conscientious objection is based on sincerely-held beliefs and moral concerns, not self-interest or discrimination.

3. When a doctor refuses to provide, or participate in, a legally-recognised treatment or procedure because it conflicts with his or her own personal beliefs and values, this constitutes a 'conscientious objection.'

4. A doctor should always provide medically appropriate treatment in an emergency situation, even if that treatment conflicts with the doctor's personal beliefs and values.

5. When a doctor refuses to provide, or participate in, a medically appropriate treatment or procedure based on a conscientious objection, it affects and potentially disrupts the patient's access to care. In accordance with the Medical Board of Australia, doctors should:

- be aware of their right to not provide or directly participate in treatments to which they conscientiously object;
- inform their patients and, if relevant, colleagues, of their objection, and
- not use their objection to impede access to treatments that are legal.^[i]

6. A doctor who makes a conscientious objection to providing, or participating, in certain treatments or procedures should make every effort in a timely manner to minimise the disruption in the delivery of health care and ensuing burden on colleagues. If you hold a conscientious objection you should:

- inform your patient of your objection, preferably in advance or as soon as practicable;
- inform your patient that they have the right to see another doctor. You must be satisfied the patient has

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take whatever steps are necessary

to ensure your patient's access to care is not impeded;

- continue to treat your patient with dignity and respect, even if you object to the treatment or procedure they are seeking;
- continue to provide other care to your patient, if they wish;
- refrain from expressing your own personal beliefs to your patient in a way that may cause them distress;
- inform your employer, or prospective employer, of your conscientious objection. Discuss with your employer how you can practise in accordance with your beliefs without compromising patient care or placing a burden on your colleagues.

7. A doctor who has a conscientious objection should not be treated unfairly or discriminated against.

8. A patient may also invoke a conscientious objection to a particular treatment or procedure; for example, a patient may refuse a blood transfusion due to their personal beliefs. In such cases, a competent patient's informed refusal of treatment should be respected. Conscientious objection to treatment, particularly potentially life-saving treatment, on behalf of a patient with impaired capacity requires special consideration.

^[1] For the purposes of this position statement, 'participation' may include indirect actions such as referring the patient to another doctor who will provide the service.

^[i] Medical Board of Australia. Good Medical Practice: A Code of Conduct for Doctors in Australia.

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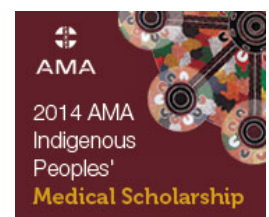
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Conscientious objection

Submitted by Magdalena Simonis (not verified) on December 2, 2013 - 23:46

Well done AMA for stepping up and upholding the rights of the woman as a patient above and beyond the personal beliefs, religious moral stance of their treating doctor.

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