STATE OF ARIZONA

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April 13, 2005

The Honorable Jim Weiers
Speaker of the House
Arizona State House of Representatives
1700 West Washington
Phoenix, Arizona 85007

Re: House Bill 2541: health care; rights of conscience

Dear Speaker Weiers:

Today I vetoed House Bill 2541, which would have allowed pharmacies and health care institutions to refuse to sell lawfully prescribed health care products and services. Pharmacies and other health care service providers have no right to interfere in the lawful personal medical decisions made by patients and their doctors.

Most pharmacies already have developed internal policies that accommodate both the medical needs of their customers and the individual rights of conscience of their employees. House Bill 2541 fails to reach a similar balance. It burdens women customers in particular because it allows pharmacies and health care institutions to refuse to provide lawfully prescribed health care products and services that only women use. As such, this bill likely would be successfully challenged in court on equal protection grounds.

I also note that the Arizona Pharmacy Association, the Arizona Public Health Association, the Arizona Hospital Association, and the Arizona Nurses Association all oppose this bill. It is unwise to pass laws opposed by the leading associations of professionals whom the bill purports to protect.

Yours very truly,

Janet Napolitano

Janet Napolitano
Governor

JN:TN/jm
cc: The Honorable Ken Bennett
The Honorable Doug Quelland