

[Click here for the formal Federal Register notice of CMS' latest regulatory crusade](#) . Apparently when you propose regulations that are medically indefensible, you don't want to give the public a whole lot of time to figure that out. Here, note that

comments on these sweeping regulations are due by Sept. 25, 2008

. See the beginning of the

[Federal Register notice](#)

for how to comment. NHeLP will be filing comments and will be happy to share them when they are done. While the administration (and, lamentably, the press) have focused only on the reproductive health aspects of this proposed rule, note that it is not in fact so limited. (See definitions below in bold for the breadth of what is actually being proposed.) If based on religious or moral beliefs a doctor refuses to prescribe needed medications (believing, e.g., that nature should be allowed to take its course), he or she could not be disciplined, regardless of how the patient fared. Nor, apparently, could a hospital refuse to hire such a doctor without risking its federal funding, even if the doctor made known her religious or moral objection to practicing various aspects of modern medicine.

What CMS seems to be missing here is that while people are always entitled to their religious or moral beliefs, sometimes those beliefs render you unqualified to do certain things, including certain jobs. So, if your particular religion prohibits you from working on the Sabbath, and your Sabbath happens to be Sunday, you pretty much have to resign yourself to not being a professional football player in the United States, no matter how good you may be at football. But under CMS' approach, an NFL team would nonetheless have to hire you, and pay you, for that occasional Monday or Thursday night game that your religion or morals will allow you to play.