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It is Easier to Attack than Agree on a Workable Solution

By Sen. Kathleen Vinehout, D-Alma

I am writing in response to a recent opinion piece in this newspaper commenting on SB 232 which had to do with requirements governing the dispensing of contraceptives by pharmacists.

The author of that piece was misinformed on the facts of the bill and false in her characterization of my position.

The issue has been a round for a long time. There are two considerations: the right of a woman to have her prescription filled without question or hassle, and the right of a pharmacist not to be compelled to take an action that violates his or her individual moral conviction.

This is not a common problem. The last time a complaint was made against a pharmacist on this issue in Wisconsin was six years ago. The pharmacist was fined \$20,000 and had his license revoked for the way he acted. In a recent survey of pharmacies across the state, the Pharmacy Board did not find one pharmacy that refuses to dispense contraceptives.

So there is no pressing reason for a new law.

If there is to be a law it has to recognize both the woman's right to have her prescription filled and the pharmacist's conscience.

First, because the Wisconsin constitution requires that no "control of, or interference with, the rights of conscience be permitted."

Second, because state courts in Wisconsin and other states, in rulings on this particular issue, have said that an "appropriate balance" must be achieved.

Third, because the chances of living in peace with our neighbors will be better if we all, wherever possible, recognize and respect each other's beliefs.

The solution is relatively simple. Even though an individual pharmacist may opt out of filling a prescription, that pharmacist and the pharmacy still has the affirmative duty of seeing to it that the prescription is filled.

That is the solution that I proposed in my amendment to SB 232. When such an agreement was reached last October in a similar Illinois court case, the executive director of Illinois Planned Parenthood called it a “thoughtful solution”.

It is for trying to achieve this “thoughtful solution”, for trying to solve a potential problem, and putting the issue behind us, that I have been accused of “turning my back on the women of Wisconsin”. Nothing is further from the truth. In supporting completely the right of women to have their contraceptive prescriptions filled without hassle, I also recognize the role of conscience. There is a balance that can be reached. The reasons for the attack on me are political rather than substantive.

The image that the previous writer presented of a woman having to “endure a shameful and public rejection at a local pharmacy, and then required to somehow find a less ideological pharmacist somewhere else,” is imaginary and false, one designed to inflame the emotions, not to inform with the facts. Under the amendment I proposed, such an action would have resulted in disciplinary action for the pharmacist.

As a recent Wisconsin court decision stated, the pharmacist “is allowed to work as a pharmacist and to exercise his beliefs about contraception; he is merely prevented from doing so in a manner where he deprives patients of their legal health care rights. ... The imposition of the proposed discipline, training and practice guidelines strike the appropriate balance between the interests of an objecting pharmacist and the need for protection of the public in this action.”

Too many of the players in politics today are driven by ideology, seeking to impose their particular beliefs without regard for the beliefs of others. It is one of the major reasons that the legislative process degenerates so often into diatribe and deadlock. To break that cycle we need to respect our own beliefs, but also work toward practical solutions that solve problems and put divisive issues behind us. Name calling should have been left on our childhood playgrounds.

Note: This issue was resolved in the next legislative session when language was introduced and passed with the support of Planned Parenthood which placed the responsibility for timely filling of prescriptions on the pharmacy. Sen. Vinehout voted yes for passage.