



October 28, 2021

Senator Cristina Castro
Senator 22nd District
121D Capitol Building
Springfield, IL 62706

Senator Jason A. Barickman
Senator 53rd District
309L Capitol Building
Springfield, IL 62706

Dear Chairwoman Castro and Members of the Executive Committee:

Please find attached the statement of the International Chiropractors Association (ICA) regarding the House Amendment to SB 1169 regarding a exception to the Health Care Right of Conscience Law. The ICA strongly opposes modifying this important law. There was a great deal of inaccurate information presented during the hearing in the House regarding legislation intent overriding statutory language.

It is important to note that Axios has reported that COVID cases dropped 20% this week nationally and have dropped to 17 cases per 100,000 in Illinois. Such draconian measures as suggested are not warranted.

The ICA members in Illinois, their families, patients, and communities stand opposed. The witness slip numbers in the House were 49,700 opposed and 700 for – which is indicative of the state's population's desire not to see this law change.

The ICA urges the Senate Executive Committee not to pass this measure.

Thank you.

Beth Clay
Executive Director

CC: Member of the Illinois Senate Executive Committee

Attached – Testimony



October 26, 2021

**Testimony to the Illinois House of Representatives Executive Committee
In Opposition to Amendment 2 for SB1169**

The International Chiropractors Association (ICA) since our inception 95 years ago, promoted the inalienable rights of all individuals to remain free to make their own health care decisions. In August, the ICA Board of Directors issued a Policy Statement (attached) which reaffirms these rights.

The Illinois legislature was wise in their passage of the Health Care Right of Conscience Act, an important law that reaffirms the right of individuals to make their own health care decisions and to protect health care professionals from being forced to participate, recommend, or any way refer someone to any form of health care services contrary to his or her conscience. It aligns with the words and deeds a son of Illinois, who in his 1862 message to the United States Congress President Abraham Lincoln said, "Freedom is the last, best hope of earth."

The response to the WHO declaration of a Global Pandemic in March 2020 has been extraordinary and the people of the United States, the people of Illinois done their part. They closed their businesses, stayed home in order to flatten the curve. They canceled sporting events, school, travel, and family gatherings. They have worked from home, worn masks, stopped going out in public places. The nurses, doctors, first responders and all hospital and nursing home personnel showed up at work to take care of the sick and elderly. Our chiropractors complied with the direction of local public health authorities and the Centers for Disease Control and Prevention, closed offices when necessary; and changed protocols within offices to social distant, reduce possible exposures for staff and patients. And when the vaccines were made available 96.9% of the over 65 population (those at highest risk) have received at least 1 dose of COVID-19 vaccine and 79% are fully vaccinated. Over 15.3 million doses of vaccine have been administered in the state. With more than 33,000 being administered each week on average.¹ The ICA is on record through our health policy statement that we do not support health product mandates of any kind.² It violates human rights. The people of Illinois need to have their health freedom of choice, and their ability to remain employed while living according to their own conscience protected not desecrated by the Illinois legislature. All across the nation and the state, we are seeing health care workers, first responders, employees in the private sector lose their jobs because they have made their own health care decision on the COVID-19 vaccine. Many have natural immunity because they had COVID-19, others have medical, religious, and/or moral convictions that affected their decision. Teachers, speech therapists, school cafeteria and cleaning personnel, all have shown up to take care of the very children SB1169 addresses – and if this Amendment goes through, some may lose their jobs.

The ICA is very supportive of the Health Care Right of Conscience Act as it exists today.

¹ <https://dph.illinois.gov/covid19/vaccine/vaccine-data.html?county=Illinois#statewideVaccinationData>

² <https://www.chiropractic.org/wp-content/uploads/2021/08/ICA-Health-Policy-Statement-August-2021.pdf>



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“It is the public policy of the State of Illinois to respect and protect the right of conscience of all persons who refuse to obtain, receive or accept, or who are engaged in, the delivery of, arrangement for, or payment of health care services and medical care whether acting individually, corporately, or in association with other persons; and to prohibit all forms of discrimination, disqualification, coercion, disability or imposition of liability upon such persons or entities by reason of their refusing to act contrary to their conscience or conscientious convictions in providing, paying for, or refusing to obtain, receive, accept, deliver, pay for, or arrange for the payment of health care services and medical care. It is also the public policy of the State of Illinois to ensure that patients receive timely access to information and medically appropriate care.”³

“Conscience” is defined as “a sincerely held set of moral convictions arising from belief in and relation to God, or which, though not so derived, arises from a place in the life of its possessor parallel to that filled by God among adherents to religious faiths.”

The statute provides:

Sec. 5. Discrimination. It shall be unlawful for any person, public or private institution, or public official to discriminate against any person in any manner, including but not limited to, licensing, hiring, promotion, transfer, staff appointment, hospital, managed care entity, or any other privileges, because of such person's conscientious refusal to receive, obtain, accept, perform, assist, counsel, suggest, recommend, refer or participate in any way in any particular form of health care services contrary to his or her conscience.”⁴

The law goes even further in Section 7: *“Sec. 7. Discrimination by employers or institutions. It shall be unlawful for any public or private employer, entity, agency, institution, official or person...”⁵*

We Oppose: The ICA strongly opposes the Amendment offered to SB1169, a bill that addresses transition services for children with disabilities within the school system. Procedurally, the amendment is not germane to the bill itself. Whether an amendment can be included that is not germane a matter for the parliamentarians of the legislature to address.

The proposed amendment violates the very premise of the law itself. To begin making exceptions to a law on conscience is unconscionable. One can argue that the pandemic is waning, that we are almost at the end. Some have said the pandemic is actually over the declarations of emergency should be terminated rather than reissued. It was announced at the beginning of the month that Sweden, Norway, and Denmark are lifting all COVID restrictions.

³ 745 ILCS 70/2 (from Ch. 111 1/2, par. 5302)

⁴ P.A. 90-246, eff. 1-1-98.)

⁵ P.A. 90-246, eff. 1-1-98.)



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Where will the exceptions end? If the Committee and the legislature agree to move this Amendment and make this exception, to the law, what will be next? Will a charismatic legislator come in and convince you that another exception is needed such as to force doctors to perform sterilizations on teenage girls with Down's Syndrome who themselves are being forced to receive a medical procedure? Such a thing sounds outrageous, but two years ago shutting down the entire nation for several weeks was unfathomable. Where will the exceptions end?

In the beginning of the pandemic, the experts spoke about who was at highest risk for bad outcomes if they contracted COVID. Those who were older, had chronic health conditions such as diabetes, kidney disease, and heart disease. In essence, how healthy you are if exposed mattered significantly to how ill you might become. Most exposed to COVID have no symptoms.

About Chiropractic and Health Promotion: Chiropractic was founded as a healing art profession in 1895 by D.D. Palmer in Davenport, Iowa. D.D. wanted to know the secret of good health – sought the answer to the question, why did one person get sick while others living under the same roof, eating the same food, and working the same way, remained healthy? The first recognized adjustment helped resolve a long-standing hearing loss. This is the exact same question that scientists around government and academic research entities study. It is the question that renowned medical doctor Dean Ornish studied and found that through modest lifestyle changes heart disease can be reversed and the risk of prostate cancer reduced in men. The evidence is so strong, his program is now reimbursed in Medicare.

For over 125 years the Chiropractic profession has focused on health rather than disease, has postulated the basic principle that the health of the host and its ability to adapt to its external environment is more important than the virulence of the disease it is exposed to. It has operated in what modern science calls a salutogenic framework.

D.D.'s son, Dr. B.J. Palmer developed the profession, and founded Palmer College. He also founded the ICA in 1926 and served as President until his passing in 1961. Today, the ICA has members in every state and over 50 countries worldwide. While some in healthcare only look at chiropractic as a non-drug option for helping patients' recovery from back and neck pain (which it does); it is actually a separate and distinct health profession with its own science, art, and philosophy. We are working to develop the resources to study the whole person effect of regular chiropractic care so that what has been seen anecdotally can be quantified in solid research.

B.J. was a prolific writer and famous for his quotes, some of which adorn the walls at Palmer College even today. I am providing below several of his quotes, which illuminate why a natural approach to health and healing, what some refer to as a chiropractic lifestyle supports health freedom of choice and for some a decision not to take the COVID-19 vaccine.



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Quotes from Dr. B.J. Palmer:

“Healing is a process afforded you by your Creator and is above and beyond the control of man. Your Chiropractor does everything possible to help Innate heal, but he cannot heal nor can anyone else produce healing for you. When the right adjustment is made, Innate goes to work. You feel the results when dis-ease turns to ease.”

“So, what Chiropractic does, is that it simply takes the handcuffs off Nature, as it were. By finding the particular vertebra that had shifted and restoring it to its natural position, the adjustment thus releases the natural flow of nerve impulse. When the maze of nerves, or Nature’s communication system, supplies the body with the energy it needs for well-being, you have health.”

“The master maker of the human body did not create you and then run off and leave you masterless. He stayed on the job as innate, as the fellow within, as nerve transmission controlling every function of life, as spirit from above-down, inside-out, expressing, creating, exploring, directing you in every field and phase of experience so that your home is truly the world, and the world is your home.”

“Medicine is the study of disease and what causes man to die. Chiropractic is the study of health and what causes man to live.”

“All the drugs in the world cannot adjust a subluxated vertebrae”

“INNATE is God in human beings. INNATE is good in human beings. INNATE cannot be cheated, violated, or tricked. INNATE is always waiting, ready to communicate with you, and when INNATE is in contact you are in tune with the Infinite.”

“The power that made the body, HEALS THE BODY. It happens no other way.”

“In the future, Chiropractic will be valued for its preventative qualities as much as for relieving and adjusting the cause of ailments.”

Throughout his writings, B.J. is clear that our Creator is integral to chiropractic. In more scientific terminology, one can state that through the regular chiropractic adjustment, and the correction of the vertebral subluxations with the removal of the ‘interferences’ Dr. Palmer references can be detailed as homeostasis – the tendency of the human body to constantly be seeking optimal health. This homeostasis effect is why pediatricians today no longer recommend antibiotics to children with ear infections initially because most typically the body will recover on its own if the child has a healthy constitution.



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There are many in the state of Illinois who live their lives rooted in their belief system and develop a lifestyle that mirrors this. For many in your state, an upbringing in a chiropractic or naturally focused lifestyle, not a medically based lifestyle.

Will the legislature deny individuals who live a life based on their own conscience, with a lifelong pattern of behavior to back up this conscience the right to be employed and be taxpaying contributors to society in Illinois? ICA urges you to stand firm for freedom of conscience.

A Matter of Conscience Cannot be Distinguished from Religion. The Most Reverend Timothy P. Broglio, Archbishop of the Military Services, USA has issued a statement which is most profound and answers the question that many corporate Human Resources Departments are facing for employees who seek an accommodation.

The Archbishop Broglio is also a Trustee and the Chancellor of Catholic Distance University, and most notably, a member of the Board of Directors of the National Catholic Bioethics Center, and Chairman of the Communications Committee for the Basilica of the National Shrine of the Immaculate Conception.

Archbishop Broglio provided the following written comments this week: *“Conscience is the most secret core and sanctuary of a man. There he is alone with God, Whose voice echoes in his depths.” St. Paul VI wrote: In all his activity a man is bound to follow his conscience in order that he may come to God, the end and the purpose of life. It follows that he is not to be forced to act in a manner contrary to his conscience. Nor, on the other hand, is he to be restrained from acting in accordance with his conscience, especially in matters religious.*

Accordingly, no one should be forced to receive a COVID-19 vaccine if it would violate the sanctity of his or her conscience. *Individuals possess the “civil right not to be hindered in leading their lives in accordance with their conscience.” Even if an individual’s decision seems erroneous or inconsistent to others, conscience does not lose its dignity. This belief permeates Catholic moral theology as well as First Amendment jurisprudence. As stated by the United States Supreme Court, “[R]eligious beliefs need not be acceptable, logical, consistent, or comprehensible to others in order to merit First Amendment protection.”*

The denial of religious accommodations, or punitive or adverse personnel actions taken against those who raise earnest, conscience-based objections, would be contrary to federal law and morally reprehensible.”ⁱ

This testimony has intentionally not gone into the medical issues, the safety concerns, what is and is not known yet about the effect on future fertility, or auto-immune disorders, myocarditis, etc. due to the newness of the COVID19 products. This testimony has not gone into the total



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lack of liability for all entities in the supply chain from manufacturer to injector; or the very minimal chance of an injured individuals' capacity to be compensated in the federal Counter Measures Injury Compensation Program. Both are matters of great importance.

Dr. Selina Sigafosse-Jackson ICA Board President, and a second-generation chiropractor stated, *"While the actual truth on COVID cases, consequences, and deaths, as well as the science on the long-term benefit and risks associated with the COVID-19 vaccines is still a moving target; what is not a moving target is the right of all to health freedom. That is an inalienable human right."*

ICA's reading of this bill and including the comments of the archbishop, we believe in addition to believing the exception to a conscience clause should not move forward, we believe this would clearly violate federal law and be overturned in the courts.

The ICA asks that the Illinois House Executive Committee stand together and in the words of President Lincoln, 'be the last best hope' and protect freedom by denying the inclusion of this Amendment to move forward with SB1169.

Respectfully,

Beth Clay
Executive Director

Email: bclay@chiropractic.org

Enclosures

ICA Health Freedom Policy Statement

¹ October 12, 2021, Statement on Coronavirus Vaccines, and the Sanctity of Conscience from the Most Reverend Timothy P. Broglio, Archdiocese for the Military Services, USA. Including the following references:

- Saint Paul VI, Gaudium et Spes, no. 16.
- Saint Paul VI, Dignitatis Humanae, no. 3.
- Saint Paul VI, Dignitatis Humanae, no. 13.
- Thomas v. Review Bd. of Indiana, 450 U.S. 707, 714 (1981).



**International Chiropractors Association
Policy on Health Freedom**

Whereas, the United States is a nation founded with the recognition of our inalienable rights to life, liberty, and the pursuit of happiness; and inherent to this is the right of individual healthcare decision making.

Whereas, there are over 70,000 licensed Doctors of Chiropractic in the United States;

Whereas, the International Chiropractors Association is the oldest, continuously functioning professional association representing Doctors of Chiropractic in the United States;

Whereas, the Nuremberg Code, which is widely regarded as the most important document in history of ethics in medical research, states the voluntary consent of the human subject is absolutely essential with respect to experimentation on human subjects, according to “Fifty Years Later: The Significance of the Nuremberg Code” published by Shuster in the New England Journal of Medicine¹:

“This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision.”

Therefore, be it resolved, that the International Chiropractors Association, their representing healthcare providers, maintains that every individual must retain freedom of choice with respect to any healthcare product, procedure, or medication.

Be it further resolved, that the International Chiropractors Association opposes the mandating of any healthcare product, procedure, or medication.

And be it further resolved, that the International Chiropractors Association strongly opposes the use of medical mandates that constrain the practice of doctors of chiropractic and their staffs and limit their clients’ access to care.

As an ICA member, if you are experiencing limitations to your health freedom in the United States, please contact the ICA at chiro@chiropractic.org.

Approved August 12, 2021

¹ Shuster E. Fifty years later: the significance of the Nuremberg Code. N Engl J Med. 1997 Nov 13;337(20):1436-40. doi: 10.1056/NEJM199711133372006. PMID: 9358