

Danquah v. University of Medicine and Dentistry of New Jersey resource page

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Friday, December 23, 2011

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Victory for pro-life nurses in lawsuit against NJ hospital

UMDNJ agrees not to force nurses to assist with abortion cases

Friday, December 23, 2011

ADF attorney sound bite: Matt Bowman



NEWARK, N.J. — As a result of a federal court hearing Thursday, a New Jersey hospital has agreed that it will not force nurses to assist with abortion cases. Alliance Defense Fund attorneys represent 12 nurses who filed suit against the University of Medicine and Dentistry of New Jersey after the hospital sought to require the nurses to help with abortion cases in violation of federal and state law.

“No pro-life medical personnel should be forced to assist or train in services related to abortions. The hospital has finally done the right thing in agreeing to obey the law and not force our clients to do any work on abortion cases in violation of their beliefs,” said ADF Legal Counsel Matt Bowman, who represented the nurses before the court Thursday. “The hospital agreed not to penalize our clients in any way because they choose not to participate in abortion according to their legal rights.”

The hospital agreed not to replace the pro-life nurses or reduce their hours. The nurses affirmed that if a woman suffers a true emergency from an abortion, they will help protect her until other staff, such as the emergency team, arrives moments later. Because the abortions are all elective, outpatient surgeries, and the court is requiring the hospital to fully staff all abortion cases with non-objecting medical personnel, the pro-life nurses should never actually be needed in any such case.

At Thursday’s hearing, the judge warned the hospital that the nurses can return to the court if the hospital penalizes them, assigns them to work abortion cases, or pretextually attempts to require them to assist with abortions.

Last month, the U.S. District Court for the District of New Jersey issued a temporary restraining order, with the hospital's temporary consent, that prohibited the hospital from coercing the nurses until the court could further consider the case at Thursday's hearing.

Federal law prohibits hospitals that receive certain federal funds from forcing employees to participate in abortions. UMDNJ receives approximately \$60 million in federal health funds annually. In addition, New Jersey law states, "No person shall be required to perform or assist in the performance of an abortion or sterilization." The lawsuit requests that the hospital be ordered to obey these laws and to return part of the federal taxpayer money it has received in light of its violation of federal conscience laws.

Demetrios K. Stratis, one of nearly 2,100 attorneys in the ADF alliance, is local counsel in the case, *Danquah v. University of Medicine and Dentistry of New Jersey*. Stratis is with the firm Ruta, Soulios & Stratis, LLP.

Pronunciation guide: Bowman (BOH'-min), Stratis (STRAH'-tis)

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