

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, URGING THE FLORIDA LEGISLATURE TO RESCIND SB 1580 (CHAPTER 2023-57), WHICH AUTHORIZES HEALTH CARE PROVIDERS AND HEALTH CARE PAYORS TO REFUSE TO PROVIDE HEALTH CARE COVERAGE OR SERVICES ON THE BASIS OF "CONSCIENCE-BASED OBJECTIONS"; DIRECTING THE CITY CLERK TO PROVIDE THIS RESOLUTION TO CERTAIN MEMBERS OF THE FLORIDA LEGISLATURE; URGING LOCAL HEALTH CARE PROVIDERS AND PAYORS TO DISREGARD THE NEW "CONSCIENCE-BASED" RIGHT GRANTED IN SB 1580 TO REFUSE TO PROVIDE CARE ON SUBJECTIVE MORAL, ETHICAL AND RELIGIOUS GROUNDS, AND TO CONTINUE TO PROVIDE COMPASSIONATE, HIGH QUALITY HEALTHCARE TO ALL PEOPLE; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Florida Legislature has approved a number of bills restricting and even criminalizing access to reproductive and gender affirming healthcare in 2023, reaching an ethical nadir with Florida Senate Bill 1580, which Governor DeSantis signed into law on May 11, 2023; and

WHEREAS, SB 1580 allows individual healthcare providers and insurers to refuse to provide care and/or coverage for "any health care service on the basis of a conscience-based objection," and further provides protection from civil liability for any provider so long as they "document his or her conscience-based objection to a particular health care service in the patient's medical file"; and

WHEREAS, SB 1580 does not allow a health care provider or payor to opt out of providing health care services because of a patient, or potential patient's race, color, religion, sex or national origin, however, legislators *intentionally* declined to include protections for patients based on age, disability, health status, gender identity or other potential protected categories; and

WHEREAS, the regulations set forth in SB 1580 affect every Floridian, giving providers at every level from hospital administrator to EMTs, a right to refuse to provide care on a morally subjective basis, and denying patients and employers the right to seek remedies through civil litigation; and

WHEREAS, Federal protection from discrimination based on sexuality, HIV status, and a broad range of medical conditions exists pursuant to the Americans with Disabilities Act of 1990, and the Affordable Care Act, but Florida SB 1580 substantially undermines those protections, allowing Florida providers and payors to make a "conscience-based" choice to refuse to provide proven treatment for an unlimited range of conditions or disease; and

WHEREAS, the City Commission finds that SB 1580 will have an adverse effect on the health and welfare of visitors and residents of the City of Key West and the entire State of Florida; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That the Key West City Commission urges the Florida Legislature to rescind SB 1580 (Chapter 023-57), which among broad new 'rights,' allows a health care provider or health care payor to "opt out of participation in or payment for any health care service on the basis of a conscience-based objection," and which provides immunity from civil liability for health care providers that "decline to participate in or pay for a health care service on the basis of a conscience-based objection."

Section 2: That the City Clerk is hereby authorized to transmit a certified copy of this Resolution to Governor Ron DeSantis, House Speaker Paul Renner, Senate President Kathleen Passidomo, Representative James "Jim" Mooney, Jr, and Senator Ana Maria Rodriguez.

Section 3: That health care providers and payors in the City of Key West and the Florida Keys are urged to disregard the Florida Legislature's decision through SB 1580 to grant "conscience-based" authority to refuse to provide care on subjective moral, ethical and religious grounds, and to continue to provide compassionate, high quality health care for all people.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Authenticated by the Presiding Officer and Clerk of the Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Filed with the Clerk on \_\_\_\_\_, 2023.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Lissette Carey	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

\_\_\_\_\_  
TERI JOHNSTON, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK