

HHS ensures hospital patients have access to spiritual care amid pandemic

WASHINGTON (CNS) – The chairman of the U.S. bishops' Committee on Religious Liberty praised the Department of Health and Human Services for resolving discrimination complaints over two hospitals' refusal to let patients have access to the sacraments of baptism and the anointing of the sick during the COVID-19 pandemic.

"Jesus Christ, physician of our souls and bodies, gave us the sacraments to convey God's grace and healing," Archbishop Thomas G. Wenski of Miami said in an Oct. 21 statement. "As Pope Francis has noted, the sacraments are 'Jesus Christ's presence in us.' Without them, we are distanced from God, the source of our being and meaning."

"It is of paramount importance that our government, public health authorities and health care providers strive to respect the liberty of the faithful to receive the sacraments," he said.

The Office for Civil Rights at HHS announced Oct. 20 the resolution of complaints involving MedStar's Southern Maryland Hospital Center, which is part of the MedStar Health System, and one involving Mary Washington Healthcare in Virginia.

"COVID-19 requires us to limit or modify our physical interactions to some degree, in order to reduce risks to physical health," Archbishop Wenski said.

"Medical experts play a natural role in this effort but must avoid treating physical interactions in religious exercise as unnecessary or unacceptable risks because they are religious," he added. "A true understanding of human well-being accounts,

as Jesus did, for the health of both body and soul.”

Regarding the Maryland hospital, the HHS Office for Civil Rights said in a news release that its Conscience and Religious Freedom Division received a complaint in July from a mother “alleging that after giving birth alone at MSMHC, she was separated from her newborn child because she had tested positive for COVID-19” when she was admitted to the hospital.

She asked that a Catholic priest be allowed to visit her newborn son to baptize him, but according to her complaint, the hospital denied her request “due to a visitor exclusion policy adopted in response to the COVID-19 pandemic,” HHS said.

The HHS Office for Civil Rights and the Centers for Medicare & Medicaid Services explained to the hospital and MedStar Health System they had to let chaplains or clergy make hospital visitations during the pandemic.

HHS said the health system has now updated its visitation policy for its 10 hospitals “so that patients in COVID-19 positive units or sections, as well as non-COVID units, will be able to freely exercise their religion by receiving religious services from the religious leaders of their choice at any reasonable time, as long as the visit does not disrupt care.”

Visiting clergy must follow hospital safety policies, including screening for COVID-19 infection, must follow proper infection prevention practices – such as hand-washing/sanitizing and physical distancing – and must wear a face mask.

The second case involved a complaint filed by the Diocese of Arlington, Virginia, with the agency in August over Mary Washington Healthcare not permitting a priest to provide holy Communion and the anointing of the sick to a COVID-19-positive patient “who was in an end-of-life situation.”

The patient's family requested a priest be allowed to provide those sacraments.

Once Mary Washington Healthcare learned of the complaint filed "and in light of the urgency of the patient's situation," HHS said, the hospital gave a priest access to the patient to administer the sacraments.

The Arlington Diocese filed another complaint when Mary Washington Healthcare would not allow a priest to visit a surgery patient in the hospital's intensive care unit after the family requested the visit.

According to HHS, the patient did not have COVID-19, but the hospital denied the request because the entire ICU was designated as a COVID-19 unit and visitors could enter only "in end-of-life situations," which was not the surgery patient's status.

The HHS Office for Civil Rights, after consulting with the hospital's infection control specialists, "reached a resolution ... that balances patient needs for compassionate spiritual support and the hospital's practical need to protect staff, patients and visitors from infection." HHS said.

The new policy allows patients in COVID-19 units to "have access to clergy in compassionate care situations, including end-of-life situations."

The hospital requires the clergy member to first complete the hospital's "infection control training," use personal protective equipment it provides and sign a form acknowledging the risks "associated with visiting a COVID patient," the HHS news release said.