

Doctor Fired For Refusing COVID Shot Files \$6 Million Lawsuit Against Hospital



Dr. Theresa Gabana, a former emergency room doctor at Tufts Medical Center, filed a [\\$6 million lawsuit](#) on Oct. 8 against the Boston-based hospital, claiming she was unjustly fired for refusing to comply with the hospital's COVID-19 vaccine mandate. Gabana, who had been employed by Tufts for nearly 29 years, alleges that her termination violated her religious freedoms and civil rights.

In a case that is set to reignite debate over vaccine mandates, Dr. Gabana claims her religious exemption request, based on her Catholic faith, was unlawfully rejected by Tufts.

She asserts that her dismissal in November 2021 reflects the heavy-handed and discriminatory nature of the hospital's policies. According to the lawsuit, Gabana had worked throughout the height of the pandemic and adhered to rigorous safety protocols but was nonetheless forced out after refusing to take the vaccine due to her deeply held beliefs.

Lawsuit Alleges Hospital Violated Doctor's Rights

Dr. Gabana's religious exemption request was based on her opposition to the use of COVID-19 vaccines that have been associated with fetal cell lines derived from abortions, a position consistent with many individuals' religious convictions. In her complaint, she argues that Tufts Medical Center failed to accommodate her sincerely held religious beliefs, which violates both Title VII of the Civil Rights Act of 1964 and the First Amendment.

"This was not about refusing public health measures," Gabana said in a recent statement. "I took all the necessary precautions to protect my patients and my colleagues, but I should not have been forced to take a vaccine that conflicts with my religious beliefs."

Gabana's lawsuit also claims that the hospital treated her unfairly compared to other employees. While her religious exemption was denied, she argues that Tufts granted exemptions to staff with medical conditions, creating a double standard within the institution. According to the lawsuit, this inconsistency underscores the discriminatory nature of the mandate enforcement, as Gabana asserts that her religious beliefs were not given the same respect as other concerns.

Tufts' decision to deny her exemption is particularly troubling, Gabana contends, given that she worked in a field that already required strict adherence to personal protective equipment protocols and other safety measures. Her lawsuit suggests that the hospital could have found a reasonable accommodation for her to continue working without compromising patient care.

A Broader Fight Against Mandates

Gabana's legal battle is part of a growing pushback against vaccine mandates, especially within the healthcare industry. As hospitals rushed to enforce COVID-19 vaccination policies, thousands of workers nationwide found themselves in similar positions, grappling with the intersection of personal rights and employer mandates. Many, like Gabana, argued that the mandates were coercive and failed to respect individual freedoms.

This case could have broad implications for vaccine mandate policies moving forward, especially as public sentiment around mandates has shifted in the post-pandemic period. Critics of these mandates argue that the policies were overly aggressive and often disregarded important exemptions, including religious objections. Dr. Gabana's lawsuit challenges what many see as an erosion of civil liberties under the guise of public health.

Mandates vs. Individual Rights

As COVID-19 spread, hospitals like Tufts implemented vaccine mandates with the intention of protecting patients and staff. However, opponents of these mandates, including many medical professionals, argue that they forced individuals into making medical decisions under duress, without allowing for personal or religious considerations.

For Gabana, this legal fight is about more than her own case—it's about defending the broader principle of religious freedom.

"The Constitution doesn't disappear during a pandemic," Gabana stated. "Religious freedom is a cornerstone of this country, and no one should be forced to violate their beliefs just to keep their job."

Gabana's legal team argues that Tufts could have made reasonable accommodations without risking patient safety, pointing out that exemptions were granted in other circumstances, including for medical reasons. The lawsuit also suggests that the hospital's rationale for denying religious exemptions lacks consistency, as vaccinated individuals could still contract and spread COVID-19.

Gabana's team plans to argue that the mandate was not based on science but on political pressure, which resulted in unnecessary terminations of healthcare workers across the country.

Hospital's Defense and the Role of Vaccine Mandates

Tufts Medical Center has yet to formally respond to the lawsuit, but like many healthcare institutions, it has defended its vaccination policy as a necessary measure to protect both staff and patients. During the pandemic, hospitals were at the forefront of enforcing COVID-19 mandates, with many citing the heightened risk posed by healthcare environments. However, as more lawsuits like Gabana's emerge, the legal and ethical validity of these mandates is increasingly under scrutiny.

Proponents of vaccine mandates argue that they were critical in controlling the spread of COVID-19 and maintaining public health standards in high-risk settings. Yet, as the dust settles, the long-term consequences of these policies are coming into focus, with stories like Gabana's exposing the personal toll mandates have taken on workers who felt their rights were ignored or trampled in the rush to implement emergency health measures.

A Path Forward: What This Case Could Mean

As Gabana's lawsuit moves forward, it is likely to attract national attention, especially as other healthcare workers and employees in various industries continue to challenge similar mandates. A victory for Gabana could encourage more workers to seek legal recourse, potentially leading to a re-examination of how exemptions are handled in the workplace, particularly when religious or personal beliefs are involved.

Gabana is seeking \$6 million in damages for lost wages, emotional distress, and damage to her reputation. Beyond the financial aspect, however, her case could serve as a precedent for future challenges to vaccine mandates that are perceived to violate individual rights.

"This is about standing up for what's right," Gabana said. "I believe in protecting public health, but not at the expense of personal liberty. This lawsuit is about making sure that no one else is forced to choose between their faith and their livelihood."

As the case against Tufts Medical Center unfolds, it will undoubtedly contribute to the broader conversation about the balance between public health measures and individual freedoms—an issue that remains as relevant as ever in the post-pandemic world. Whether this lawsuit will ultimately reshape the conversation around vaccine mandates remains to be seen, but it is clear that the battle over individual rights in healthcare is far from over.