United States Conference of Catholic Bishops
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BULLETIN INSERT

Sweeping HHS Mandate Stands, Violating Conscience Rights and Religious Liberty
Congress Must Act to Fix the Problem

On January 20, the U.S. Department of Health and Human Services (HHS) reaffirmed a rule that virtually all private health care plans must cover sterilization, abortifacients, and contraception. The exemption provided for "religious employers" was so narrow that it failed to cover the vast majority of faith-based organizations—including Catholic hospitals, universities, and charities—that help millions every year. Ironically, not even Jesus and his disciples would have qualified for the exemption, because it excludes those who mainly serve people of another faith.

On February 10, the Obama Administration made this rule final "without change"; delayed enforcement for a year against religious nonprofits that were still not exempted (our charities, hospitals, and colleges); and promised to develop more regulations to "accommodate" them by the end of that additional year. But, as explained below, that promised "accommodation" still forces them to pay for "services" that violate their religious convictions.

The original rule that violated our religious liberty so severely has not been changed, but finalized.

After touting meaningful changes in the mandate, HHS instead finalized the original rule that was first issued in August 2011 "without change." So the offensive definition of "religious employer"—which excludes our charities, hospitals, and colleges because they serve people of other faiths—is still in place, and those institutions are still subject to the mandate.

HHS has promised some kind of "accommodation," but only after the election.

HHS said it would take an additional year to develop more regulations to "accommodate" religiously-affiliated charities, schools, and hospitals that still fall outside the "religious employer" exemption. The impact of these additional rules will not be felt until after the election, the only point of public accountability for the Executive Branch. This eliminates an important incentive for HHS to provide the best protection for religious liberty

The promised "accommodation"—even at its best—would still force our institutions to violate their beliefs.

Under the proposed "accommodation," if an employee of these religious institutions wants coverage of contraception or sterilization directly from the insurer, the objecting employer is still forced to pay for it as a part of the employer's insurance plan. Since there is no other source, the funds to pay for that coverage must come from the premiums of the employer and fellow employees, even those who object in conscience.

There is no exemption for objecting insurers, secular employers, for-profit religious employers, or individuals.

The U.S. bishops defend religious liberty for all, and so have repeatedly identified all the stakeholders in the process whose religious freedom is threatened by the mandate—all employers, insurers, and individuals, not just religious employers. Now, all insurers, including self-insurers, must provide the coverage to any employee who wants it. In turn, all individuals who pay premiums have no escape from subsidizing that coverage. And only employers that are both non-profit and religious may qualify for the limited "accommodation."

We urgently need legislation to correct the mandate's threats to religious liberty and conscience rights. The Respect for Rights of Conscience Act has been introduced in Congress (H.R. 1179, S. 1467) to ensure that those who participate in the market for health insurance "retain the right to provide, purchase, or enroll in health coverage that is consistent with their religious beliefs and moral convictions."

ACTION: **Contact your U.S. Representative by e-mail, phone, or FAX letter:**

- Call the U.S. Capitol switchboard at: 202-224-3121, or call your Members' local offices.
- Send your email to Congress through www.usccb.org/conscience.
- Additional contact info can be found on Members' web sites at: **www.house.gov** and **www.senate.gov**.

MESSAGE: "Please co-sponsor and support the Respect for Rights of Conscience Act (H.R. 1179, S. 1467). The Obama administration's decision to mandate coverage of sterilization and contraceptives, including drugs that can cause an abortion, makes passage of this measure especially urgent. Please ensure that the religious liberty and conscience rights of all participants in our nation's health care system are respected."

WHEN: Now is the time to build co-sponsors and support. Please act today! Thanks!