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HHS delays rule on contraceptive coverage

Decision unchanged on HHS exemptions

HHS Edict Will Force Catholics to Violate Conscience (<http://www.votervoicenet/core.aspx?APP=GAC&AID=718&issuclid=27153&SiteID=1%20>)

‘To Hell With You’

By Bishop David A. Zubik

It is really hard to believe that it happened. It comes like a slap in the face. The Obama administration has just told the Catholics of the United States, “To Hell with you!” There is no other way to put it.

In early August, the Department for Health and Human Services in the Obama administration released guidelines as part of the implementation of the Patient Protection and Affordable Care Act. The guidelines mandated that by Summer 2012 all individual and group health insurance plans, including self-insured plans, cover all FDA-approved contraception, sterilization procedures and pharmaceuticals that even result in abortion.

A million things are wrong with this: equating pregnancy with disease; mandating that every employer pay for contraception procedures including alleged contraceptives that are actually abortion-inducing drugs; forcing American citizens to choose between violating their consciences or providing health care services; mandating such coverage on every individual woman without allowing her to even choose not to have it; forcing every person to pay for that coverage no matter the dictates of their conscience.

Let’s be blunt. This whole process of mandating these guidelines undermines the democratic process itself. In this instance, the mandate declares pregnancy a disease, forces a culture of contraception and abortion on society, all while completely bypassing the legislative process.

This is government by fiat that attacks the rights of everyone – not only Catholics; not only people of all religion. At no other time in memory or history has there been such a governmental intrusion on freedom not only with regard to religion, but even across-the-board with all citizens. It forces every employer to subsidize an ideology or pay a penalty while searching for alternatives to health care coverage. It undermines the whole concept and hope for health care reform by inextricably linking it to the zealotry of pro-abortion bureaucrats.

For our Church this mandate would apply in virtually every instance where the Catholic Church serves as an employer. The mandate would require the Catholic Church as an employer to violate its fundamental beliefs concerning human life and human dignity by forcing Catholic entities to provide contraceptive, sterilization coverage and even pharmaceuticals that result in abortion.

There was a so-called “religious exemption” to the mandate, but it was so narrowly drawn that, as critics charged, Jesus Christ and his Apostles would not fit the exemption. The so-called exemption would only apply to the vast array of Catholic institutions where the following applied:

- Only Catholics are employed;
- The primary purpose of the institution or service provided is the direct instruction in Catholic belief;
- The only persons served by the institution are those that share Catholic religious tenets. (Try to fit this in with our local Catholic Charities that serve 80,000 every year without discrimination according to faith. It would be impossible!)

Practically speaking under the proposed mandate there would be no “religious exemption” for Catholic hospitals universities, colleges, nursing homes and numerous Catholic social service agencies such as Catholic Charities. It could easily be determined that the “religious exemption” would not apply as well to Catholic high schools, elementary schools and Catholic parishes since many employ non-Catholics and serve both students and, through social outreach, many who do not share Catholic religious beliefs. Such a narrow “religious exemption” is simply unprecedented in federal law.

Last September I asked you to protest those guidelines to Kathleen Sebelius, secretary of the U.S. Department for Health and Human Services, and contact your political leadership in the federal government. I asked that you

request that this flawed mandate be withdrawn because of its unprecedented interference in the religious liberty and freedom of conscience of the Catholic community, and our basic democratic process.

You did. And you were joined by Catholics throughout the country (and many others as well) who raised their voices against the mandate, raised their voices against a meaningless religious exemption.

On January 20, 2012, the Obama administration answered you and me. The response was very simple: “To Hell with You.”

Kathleen Sebelius announced that the mandate would not be withdrawn and the religious exemption would not be expanded. Instead, she stated that nonprofit groups – which include the Catholic Church – will get a year “to adapt to this new rule.” She simply dismissed Catholic concerns as standing in the way of allegedly respecting the health concerns and choices of women.

Could Catholics be insulted any more, suggesting that we have no concern for women’s health issues? The Catholic Church and the Catholic people have erected health care facilities that are recognized worldwide for their compassionate care for everyone regardless of their creed, their economic circumstances and, most certainly, their gender. In so many parts of the globe – the United States included – the Church *is* health care.

Kathleen Sebelius and through her, the Obama administration, have said “To Hell with You” to the Catholic faithful of the United States.

- To Hell with your religious beliefs,
- To Hell with your religious liberty,
- To Hell with your freedom of conscience.

We’ll give you a year, they are saying, and then you have to knuckle under. As Cardinal-designate Timothy Dolan, archbishop of New York and president of the U.S. Conference of Catholic Bishops responded, “in effect, the president is saying that we have a year to figure out how to violate our consciences.”

As I wrote to you last September, with this mandate the democratic process is being ignored while we are being ordered to ignore our religious beliefs. And we are being told not only to violate our beliefs, but to pay directly for that violation; to subsidize the imposition of a contraceptive and abortion culture on every person in the United States.

It is time to go back to work. They have given us a year to adapt to this rule. We can’t! We simply cannot!

Write to the president.

Write to Secretary Sebelius.

Write to our Senators.

Write to those in Congress.

[Use the PA Catholic Advocacy Network to send an email message, too. \(http://www.votervoice.net/core.aspx?APP=GAC&AID=718&issueid=27153&SiteID=-1%20\)](http://www.votervoice.net/core.aspx?APP=GAC&AID=718&issueid=27153&SiteID=-1%20)

I have included the addresses in a box accompanying this article. Here’s what you can write:

“Dear (Representative):

“In early August, the Department for Health and Human Services released guidelines that would force Catholic institutions to subsidize through their health care plans contraception, sterilization procedures and pharmaceuticals that even result in abortion.

“It was announced on January 20th by Kathleen Sebelius, secretary of the U.S. Department for Health and Human Services, that this mandate is affirmed and that non-profit institutions, including the Catholic Church, have one year to adapt to the mandate.

“This is a direct threat to the religious liberty of Catholics, freedom of conscience and the social service ministry of the Catholic Church. The so-called ‘religious exemption’ in the mandate is no exemption at all as it would require any Catholic institution (that serves non-Catholics or employs non-Catholics) to violate Catholic belief, discontinue to provide health care, or close its doors.

“I ask that you do all possible to rescind the ‘Preventive Service Mandate’ as an unprecedented federal interference in the right of Catholics to serve their community without violating their fundamental moral beliefs.”

This mandate can be changed by Congressional pressure. The only way that action will happen is if you and I take action.

Let them know that you and I will not allow ourselves to be pushed around (or worse yet) be dismissed because of our Catholic faith.

Let them know that you and I will not allow our religious freedom to be compromised.

Let them know that you and I will not allow our religious liberty to be rescinded.

Nobody, not even the president of the United States or anyone who represents him, has the right to say to you and to me as U.S. citizens, as Catholics, or as both: "To Hell with You."

The president and our elected leaders need to hear from you and me and to listen to us NOW.

And if NOT now, HOW can we get the president to listen to us???

Contact your political leaders

President Barack Obama, The White House, 1600 Pennsylvania Ave. NW, Washington, D.C. 20500 (202-456-1111).

U.S. Rep. Jason Altmire, 332 Cannon House Office Building, Washington, D.C. 20515 (202-225-2565), D-PA District 4.

U.S. Rep. Mark Critz, 1022 Longworth House Office Building, Washington, D.C. 20515 (202-225-2065), D-PA District 12.

U.S. Rep. Mike Doyle, 401 Cannon House Office Building, Washington, D.C. 20515 (202-225-2135), D-PA District 14.

U.S. Rep. Mike Kelly, 515 Cannon House Office Building, Washington, D.C. 20515 (202-225-5406), R-PA District 3.

U.S. Rep. Timothy Murphy, 322 Cannon House Office Building, Washington, D.C. 20515 (202-225-2301), R-PA District 18.

U.S. Sen. Robert Casey Jr., 393 Russell Senate Office Building, Washington, D.C. 20510 (202-224-6324), D-PA.

U.S. Sen. Patrick Toomey, 502 Hart Senate Office Building, Washington, D.C. 20510 (202-224-4254), R-PA.

HHS delays rule on contraceptive coverage

But decision unchanged on exemptions

Nancy Frazier O'Brien

Catholic News Service

WASHINGTON— Although Catholic leaders vowed to fight on, the Obama administration has turned down repeated requests from Catholic bishops, hospitals, schools and charitable organizations to revise its religious exemption to the requirement that all health plans cover contraceptives and sterilization free of charge.

Instead, Kathleen Sebelius, secretary of the U.S. Department of Health and Human Services, announced Jan. 20 that nonprofit groups that do not provide contraceptive coverage because of their religious beliefs will get an additional year "to adapt to this new rule."

"This decision was made after very careful consideration, including the important concerns some have raised about religious liberty," Sebelius said. "I believe this proposal strikes the appropriate balance between respecting religious freedom and increasing access to important preventive services."

But Cardinal-designate Timothy Dolan of New York, president of the U.S. Conference of Catholic Bishops, said the Obama administration had "drawn an unprecedented line in the sand" with the decision.

"The Catholic bishops are committed to working with our fellow Americans to reform the law and change this unjust regulation," he added. "We will continue to study all the implications of this troubling decision."

U.S. Cardinal-designate Edwin O'Brien, pro-grand master of the Knights of the Holy Sepulcher and apostolic administrator of the Baltimore Archdiocese, called the decision "shocking and disturbing" in a Jan. 20 statement from Rome.

Saying it would force individuals and religious organizations "to surrender their beliefs — rooted in long-held Judeo-Christian tradition and practice — for the sake of political and financial expediency," he called on Catholics "to pray for our elected officials and to work to reform this unjust regulation."

Sebelius announced the mandate and a narrow religious exemption to it Aug. 1, 2011. Under the plan, after Aug. 1 of this year, new or significantly altered health plans will be required to provide all FDA-approved contraceptives, including some that can cause abortions, without co-pays or deductibles as part of preventive health care for women.

The only religious organizations exempt from the requirement would be those meeting four specific criteria — “(1) has the inculcation of religious values as its purpose; (2) primarily employs persons who share its religious tenets; (3) primarily serves persons who share its religious tenets; and (4) is a nonprofit organization” under specific sections of the Internal Revenue Code.

Those sections “refer to churches, their integrated auxiliaries, and conventions or associations of churches, as well as to the exclusively religious activities of any religious orders,” according to a footnote to the interim final rule.

Catholic groups, including the USCCB, the Catholic Health Association and Catholic Charities USA, called that exemption too narrow, saying it would require Catholic groups to stop all services to those who were not Catholic and would inappropriately involve the government in decisions about whether an organization is “religious enough” to be exempted.

“As it stands, it is unlikely that any Catholic college or university will be exempt,” said Michael Galligan-Stierle, president of the Association of Catholic Colleges and Universities.

Sebelius’ announcement brought an outcry from Catholic leaders and a sigh of relief from groups such as Planned Parenthood and NARAL Pro-Choice America, which had opposed any moves to weaken the contraceptive mandate or strengthen the religious exemption.

In a video posted on the USCCB website, Cardinal-designate Dolan said the decision put the Obama administration “on the wrong side of the Constitution” and should be rescinded.

“In effect, the president is saying we have a year to figure out how to violate our consciences,” the cardinal-designate said in a separate statement. “To force American citizens to choose between violating their consciences and forgoing their health care is literally unconscionable. It is as much an attack on access to health care as on religious freedom. Historically this represents a challenge and a compromise of our religious liberty.”

Sister Carol Keehan, a Daughter of Charity who is president and CEO of the Catholic Health Association, said the announcement was a “missed opportunity to be clear on appropriate conscience protection.”

“The challenge that these regulations posed for many groups remains unresolved,” she added. “This indicates the need for an effective national conversation on the appropriate conscience protections in our pluralistic country, which has always respected the role of religions.”

Father Larry Snyder, president of Catholic Charities USA, said he was “extremely disappointed” that the administration chose to ignore calls from religious institutions to broaden the exemption.

“With the existing restrictive definition in this mandate, the ministry of Jesus Christ himself would not be considered a religious entity,” he said.

“Just as the identity of Catholic Charities is firmly rooted in the teaching of its church, the identity of this nation includes a mandated respect of religious beliefs,” Father Snyder added. “It is this long-standing history that gave us hope that as a religious institution we would be granted the freedom to remain faithful to our beliefs while also being committed to providing access to quality health care for our 70,000 employees and their families across the country.”