

Published on *National Catholic Reporter* (<https://www.ncronline.org>)

August 16, 2011 at 12:35pm

Religious groups irked by contraception mandate

by David Gibson by Religion News Service

The Obama administration is taking heat from religious groups, particularly Catholic leaders, upset that new federal health regulations may force them to pay for employees' birth control, a violation of church tenets.

Proposed religious exemptions to the new regulations, which were unveiled on Aug. 1 by the Department of Health and Human Services, are considered so narrow that even Catholic officials considered friendly to President Obama argue that they should be changed.

"I call this the parish housekeeper exemption -- that's about all it covers," Sister Carol Keehan, president of the Catholic Health Association, a 600-member umbrella group for Catholic hospitals, told The Associated Press.

In 2009, Keehan lent crucial last-minute support that helped secure passage of Obama's health care reform law, a decision that signaled a split with the Catholic bishops, who opposed the law because they argued that it funded abortions.

But Keehan and the U.S. Conference of Catholic Bishops are united on this issue.

"Health and Human Services must think Catholics and other religious groups are fools," Sister Mary Ann Walsh, a spokesperson for the U.S. hierarchy, wrote last week in a blog post.

As Walsh and others point out, the proposed exemption would only apply to a nonprofit employer who has "the inculcation of religious values as its purpose," who primarily employs fellow believers, and who primarily serves people "who share its religious tenets."

That exemption would not cover Catholic hospitals, which provide care to one in six Americans seeking

medical treatment every year -- whether they are Catholic or not -- and employ people of all beliefs.

The proposed federal regulations could also cause problems for Catholic Charities, the huge national social service provider, and for the national network of Catholic colleges and universities, who have students and faculty from varied backgrounds.

"Could the federal government possibly intend to pressure Catholic institutions to cease providing health care, education and charitable services to the general public?" Cardinal Daniel DiNardo, archbishop of Galveston-Houston and chairman of the USCCB Committee on Pro-Life Activities, said in a statement.

Obama administration officials say that the proposed definition was adapted from language in state laws that mandate birth control coverage.

Keehan told the AP that most Catholic hospitals do not cover birth control for their employees but in some cases they are required to by state law. Doctors caring for patients at the hospitals are not restricted from prescribing birth control.

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HHS spokesman Richard Sorian also noted that the religious exemption rules will not be finalized until later this year, following a 60-day comment period that opened on Aug. 1.

"We want to hear what the public has to say," Sorian said. "We are really trying to strike a balance between providing access to proven prevention and respecting religious beliefs."

While some expect the final rules to provide a broader exemption, the political calculus is problematic for the administration. Women's rights organizations and lobbies like Planned Parenthood, which stands to gain from broader contraception coverage, have already said they think the religious exemption as proposed is too generous, and they are likely to bristle at any broadening of the language.

Birth control use is almost universal among Americans, including Catholics and other believers. More than three-quarters of Americans, including nearly nine in 10 Catholics, believe that private and government-sponsored medical insurance should provide no-cost birth control to those who cannot afford it.

But the public is also wary of anything that smacks of government restrictions on religious freedom.

Stephen S. Schneck, director of the Institute for Policy Research & Catholic Studies at Catholic University in Washington, and a frequent defender of Obama administration policies, warned the president about offering insufficient conscience protections in the birth control regulations.

Writing in the liberal newspaper, National Catholic Reporter, a few days before the proposals were published, Schneck noted that he had supported Obama's nomination of then-Kansas Gov. Kathleen Sebelius to head HHS, even though she took a "pro-choice stance on abortion."

"Those of us who supported Sebelius' nomination argued forcefully that she should not be penalized because her conscience reached different conclusions on contentious issues from those reached by the leaders of the Catholic Church," Schneck wrote.

"But," he continued, "it would be a tragic irony if, in adopting the new rules, Sebelius declined to afford

to Catholic church organizations the same conscience rights we invoked when defending her nomination. Those of us who joined `Catholics for Sebelius' did not do so to see our conscience rights eviscerated."

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