



For Immediate Release

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Statement Regarding New Lawsuit Filed by Michigan Catholic Conference Against “HHS Mandate”

(Lansing) – Michigan Catholic Conference today filed in the U.S. District Court for the Western District of Michigan a new legal complaint against the federal government regarding the U.S. Department of Health and Human Services’ (HHS) objectionable services mandate. The complaint challenges the HHS mandate on the grounds that it violates longstanding religious liberty protections by forcing religious employers to facilitate coverage of morally objectionable services, such as abortion-inducing drugs, contraceptives, and sterilization in their employee health benefit plans.

A similar legal complaint filed in May 2012 by Michigan Catholic Conference (MCC) against the federal government was dismissed without prejudice on procedural grounds in March 2013, when a judge found the case was not ripe for adjudication before HHS finalized its rule. MCC’s new complaint challenges the final HHS rule, which was promulgated on June 28 and is set to take effect beginning January 1, 2014. Catholic Charities Diocese of Kalamazoo, which provides extensive social service outreach to vulnerable persons, has joined MCC as a plaintiff in the lawsuit.

According to the now-finalized rule, the HHS mandate does not apply to group health plans established or maintained by a “religious employer,” as the federal government has defined that term. MCC meets the government’s definition of “religious employer” and is exempt from the mandate. As such, MCC’s employee group medical health plan will not provide coverage for abortion-inducing drugs, contraceptives or sterilization.

Catholic Charities Diocese of Kalamazoo, however, along with dozens of other Catholic employers that participate in the MCC health benefit plan, do not meet the government’s definition of “religious employer” and are not exempt from HHS’s final rule. The rule does not permit MCC to extend its exempt status to non-exempt entities. As such, non-exempt employers within the MCC group health plan are forced by the federal government to self-declare as non-exempt entities, meaning the administration is taking it upon itself to determine who is and who is not Catholic. The government’s intrusion into the internal affairs of religious organizations and its effort to define a religious employer must be opposed on grounds that it violates First Amendment rights. MCC’s new legal complaint seeks to protect the Catholic Church’s non-exempt institutions while, overall, acting to uphold the constitutional right to religious liberty.

Michigan Catholic Conference is the official public policy voice of the Catholic Church in this state. The organization is guided by a Board of Directors that includes the seven diocesan Catholic bishops in Michigan, five lay persons, one religious sister and one diocesan priest. In 1970, MCC began to provide employees of the state’s seven dioceses and their institutions with a medical insurance benefit. Today, over 10,000 Catholic institution employees and their dependents receive a medical benefit from MCC.