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Catholics protest proposed health plan mandate

Alice Popovici | Oct. 12, 2011

Fr. Larry Snyder, left, and Daughter of Charity Sr. Carol Keehan (CNS file photos)

In the past few weeks, U.S. Catholic bishops, leaders of Catholic health care and charitable organizations, and leaders of educational institutions have spoken out in opposition to a proposed federal mandate that would require all health care plans -- including those offered to employees of Catholic hospitals, schools and ministries -- to include coverage of contraception and sterilizations at no additional cost.

The Catholic leaders have argued that the ?conscience clause,? which would make an exception for ?religious employers? who object to this coverage for moral and religious reasons, is too narrow to benefit the vast majority of Catholic organizations.

The comment period to file objections to the proposed rule closed Sept. 30. If the mandate is approved, coverage of these services under new private health plans would begin in August 2012, according to the Department of Health and Human Services? Web site, HealthCare.gov.

In a comment widely quoted by news organizations, the U.S. bishops? conference wrote in an Aug. 31 statement that under the government?s ?inexplicably narrow criteria ... even the ministry of Jesus and the early Christian church would not qualify as ?religious,? because they did not confine their ministry to their coreligionists or engage only in a preaching ministry.?

When Health and Human Services announced the mandate in August, Daughter of Charity Sr. Carol Keehan, president of the Catholic Health Association, said that the conscience clause was so narrowly defined that she called it a ?housekeeper exemption -- that?s about all it covers.?

In a formal statement released Sept. 22, Keehan, who heads the 600-member association of Catholic hospitals and health care intuitions, wrote that the proposed religious exemption to the federal mandate that health insurance plans cover contraceptives and sterilization is ?wholly inadequate to protect the conscience rights of Catholic hospital and health care organizations.?

She wrote that ?the explicit recognition of the right of Catholic organizations to perform their ministries in

fidelity to their faith is almost as old as our nation itself.?

She described the tradition of Catholic health care that began in 1727 with French Ursuline sisters in New Orleans. She quoted from an 1804 letter from President Thomas Jefferson to the Ursulines, reassuring them that they could govern themselves by their own rules, ?without interference from the civil authority.?

Religious leaders around the country mailed letters of appeal to Health and Human Services and urged their congregations to file comments stating their objections, according to news reports.

The Catholic Miscellany, the diocesan newspaper for Charleston, S.C., reported Sept. 15 that ?Bishop Robert E. Guglielmone has asked the faithful in his diocese to help prevent mandated coverage of surgical sterilization and contraceptives in Catholic hospitals.?

In New Orleans, The Times-Picayune reported Sept. 20 that Archbishop Gregory Aymond appealed to pastors in 108 parishes, asking them to instruct Catholics on how to file their objections to the Health and Human Services Department.

And in Minnesota, Catholic bishops wrote to the department?s secretary, Kathleen Sebelius, saying the mandate would ?require taxpayers and providers to act against deeply held convictions regarding the sanctity of life,? as reported in a Sept. 30 story from The Minnesota Independent.

Catholic Charities USA president Fr. Larry Snyder argued in a statement dated Sept. 28 that the narrow definition of ?religious employer? would violate Catholic organizations? right to exercise their beliefs without governmental restrictions. If the mandate is approved, Snyder wrote, ?these individuals and organizations who believe that contraception is immoral for religious reasons are left with three unacceptable choices: 1) they can violate their beliefs; 2) they can change their mission and composition from an outreach-based mission that is open to individuals of other faiths to an insular organization that prioritizes inculcation; or 3) they can deny their employees access to employer-based health insurance.?

Catholic News Service reported Sept. 29 that 18 Catholic colleges ?asked the Obama administration to exempt all religious individuals and institutions from being forced to participate? in the mandate.

The University of Notre Dame in Indiana sent its own letter of appeal. University president Holy Cross Fr. John Jenkins asked Health and Human Services ?to change the definition of religious employer to the one used by the Internal Revenue Service, which considers whether an organization or institution shares common religious bonds and convictions with a church,? according to an Associated Press report Sept. 28.

In an op-ed published Sept. 30 in The Washington Post, John Garvey, president of The Catholic University of America in Washington, wrote that if the school complies with the mandate and begins to offer its students sterilization procedures and contraceptives, ?we will be helping our students do things that we teach them, in our classes and in our sacraments, are sinful -- sometimes gravely so.?

The U.S. bishops? conference cited the dispute over the mandate as one of the ?religious liberty concerns? that prompted its administrative committee to appoint an ad hoc committee on religious freedom (see story [1]).

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