

## Obama seeks balance on contraception, religious beliefs

Nancy Frazier O'Brien Catholic News Service | Dec. 1, 2011



President Barack Obama (CNS photo/Jim Young, Reuters)

**WASHINGTON** -- A White House spokesman said the Obama administration is working to "strike the right balance between expanding coverage of preventive services and respecting religious beliefs" as it decides on a religious exemption to the mandate that all health plans cover contraceptives and sterilizations by Jan. 1, 2013.

"This decision has not yet been made," said Jay Carney, press secretary, in response to a question at the Nov. 29 White House press briefing.

Kathleen Sebelius, secretary of the Department of Health and Human Services, announced an interim final rule Aug. 1 that would require all health plans to cover contraceptives -- including some that can cause abortions -- and sterilizations free of charge.

Only religious employers meeting four criteria would be exempt from the mandate. Those requirements are that the organization "(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.

Leaders of various Catholic and other faith-based organizations have protested the exemption as too narrow and have said such a mandate could force them to stop offering some social services, education or health care to the general public.

A 60-day comment period on the proposed religious exemption ended Sept. 30 and a final decision was expected from HHS by the end of the year. In the meantime, the contraceptive mandate as an "interim final rule," as the federal government terms it, has "the full force and effect of law." After any such comment period, a federal agency could issue a revised final rule "or confirm the interim rule as final."

"Part of the process ... was seeking and receiving public input before the guidelines ... would go into effect," Carney said Nov. 29. "That process did result in public input, as well as resulted in numerous comments from various folks who have concerns about this issue."

The White House official was responding to a reporter who said he had heard from "lots of Democrats" who were "concerned about President (Barack) Obama possibly granting an exemption to Catholic churches, hospitals and universities from the requirement that all insurance plans cover contraception."

"These Democrats, a lot of them in the abortion rights community, are concerned that this is even being discussed," the reporter added.

New York Archbishop Timothy M. Dolan, president of the U.S. Conference of Catholic Bishops, met privately with Obama Nov. 8 at the White House and said later that he found the president to be "very open to the sensitivities" of the U.S. Catholic Church on issues related to religious freedom. He said the meeting touched on a wide range of topics and that by mutual agreement with the White House, further details would not be made public.

But at least one bishop has said he would be forced to stop offering health insurance to his employees if the HHS mandate remains unchanged.

Speaking at the diocesan Red Mass at Sacred Heart Church in Tampa, Fla., Nov. 30, Bishop Robert N. Lynch of St. Petersburg said, "If (government officials) fail to shift in their present positions, then 2,300 employees of the Diocese of St. Petersburg will lose their health care coverage which they have come to treasure and rely upon."

Bishop Lynch, whose diocese is self-insured, said he "would simply give them what we would have paid for their health care and tell them they have to look for coverage elsewhere."

"For the first time in my adult life, I foresee the possibility of some form of civil disobedience and I am extremely uncomfortable at even the hint of such a thing," he added.

Although he did not comment on what he would do with his own employees, Archbishop Thomas G. Wenski of Miami addressed the issue in a Nov. 29 column directed to Obama.

Saying the administration was "running roughshod over conscience protection provisions long part of the law of our land," the archbishop added, "Regardless of one's position on the morality of abortion, we -- and elected officials on both sides of the aisle -- should be concerned with these developments.

"If religious and conscience rights of some Americans can be violated by the state," he said, "everyone else's rights are also in jeopardy."

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