

# **Oklahoma Federal Court Enjoins Enforcement of HHS Contraceptive Mandate Against Hundreds of Member Employers of the Catholic Benefits Association**

*OKLAHOMA CITY* - Late on June 4, the United States District Court for the Western District of Oklahoma ruled that all employer members of the Catholic Benefits Association are exempt from the Affordable Care Act's contraceptive/abortifacient mandate ("Mandate"). It also "enjoined and restrained" the relevant federal departments, "their agents, officers, and employees, and all other in active concert or participation with them ... from any effort to apply or enforce" the Mandate against members of the Catholic Benefits Association. The Court also specifically ruled that the over 450 CBA employer members and the almost 2,000 Catholic parishes that are CBA members shall not be liable for "any penalties, fines and assessments for noncompliance with" the Mandate. Archbishop William Lori, President of the Catholic Benefits Association and Archbishop of Baltimore, remarked, "we formed the Catholic Benefits Association to support Catholic employers in providing quality, cost-competitive, morally compliant health care benefits for their employees. Yesterday's decision makes this a reality."

The CBA's general counsel, Martin Nussbaum, noted "this ruling is especially gratifying because this lawsuit, alone among the HHS contraceptive mandate cases, includes three groups of Catholic employers—"houses of worship" that are, by regulation, exempt; non-exempt ministries like colleges, Catholic Charities, and healthcare institutions; and Catholic-owned for profit businesses." It is also one of only a few class action suits in this unprecedented situation in which so many religious groups have sued the federal government because its Mandate violates their religious beliefs.

In the June 4 ruling, the Court stated that "[b]ecause the CBA's members are so

uniform in their beliefs—particularly their beliefs that contraceptives are objectionable—the Court finds that the CBA can properly present its members’ claims in this case such that the participation of the individuals members of the CBA is not required.” It is for this reason that the CBA can represent and acquire judicial relief for its members without the members actually being named in the complaint.

In March, the CBA and eight other Catholic organizations, filed the class action lawsuit seeking to protect its members’ exercise of religion by exempting them from the Mandate that requires them to provide coverage for free contraceptives, abortion inducing drugs, abortion inducing devices, sterilization, and related counseling. Archbishop Paul Coakley, the CBA’s Vice-President and the Archbishop of Oklahoma City, explained: “The administration has already effectively granted exemptions from the Mandate to various employers whose plans cover more than 130 million employees. We’re simply seeking the same exemption for Catholic employers who have religious objections to the unjust requirements of the mandate.”

Archbishop Coakley continued: “The Catholic employers involved directly and indirectly in the Catholic Benefits Association lawsuit care deeply about the health and well-being of their employees. We are grateful for the ruling, but continue to pray that our leaders recognize that Catholics, whether bishops or businessmen, cannot in good conscience provide insurance that covers drugs and procedures that undermine the dignity of the human person and the sanctity of human life. Religious freedom entails more than the right to worship and any contrary legislation must be opposed.”

The named plaintiffs in the CBA lawsuit include The Catholic Benefits Association, The Catholic Insurance Company, the Archdiocese of Oklahoma City, Catholic Charities of the Archdiocese of Oklahoma City, Inc., All Saints Catholic School in Oklahoma, Archbishop William E. Lori and the Archdiocese of Baltimore, The Cathedral Foundation in Baltimore, Villa St. Francis Catholic Care Center in Kansas City, KS, and Good Will Publishers in North Carolina.

The CBA is an association of Catholic employers united in their defense of their First Amendment right to witness to their Catholic faith, through their ministries and businesses, by providing their employees with life-affirming health care coverage

that complies with Catholic teaching. It serves over 450 Catholic employers, including 8 archdioceses, 15 dioceses, and others. These employers also include religious orders, local Catholic Charities, colleges, nursing homes, cemeteries, retreat centers, and medical facilities. The Catholic Benefits Association serves both non-profit ministries and for-profit businesses.

The CBA also makes it possible for Catholic employers — both nonprofit and for-profit — to exercise their religious values through the health coverage they provide to their employees. To accomplish this, the CBA has formed a wholly-owned subsidiary, The Catholic Insurance Company and arranged for health provider networks to assist Catholic employers in providing comprehensive, quality health care that affirms the dignity of the human person. The CBA also provides vigorous defense of its members' First Amendment religious liberty regarding such coverage.

More information about the Catholic Benefits Association, including applications for members, can be found at [www.lifeaffirmingcare.com](http://www.lifeaffirmingcare.com).