



LIBERTY
INSTITUTE

Restoring Religious Liberty in America.

Why the HHS Mandate Matters to Your Non-Profit Ministry

WHAT IS THE HHS MANDATE?

The HHS Mandate is a portion of the Patient Protection and Affordable Care Act, also known as “Obamacare,” that requires group health insurance plans to provide coverage for all FDA-approved contraceptives, including some that are abortifacients such as Plan B (the “day after pill”) and Ella (the “week after pill”).

WHO MUST FOLLOW THE HHS MANDATE?

Every organization that is not a church or a denomination that either has more than fifty employees or that has fewer than fifty employees but nevertheless provides group health insurance must follow the HHS Mandate and provide health insurance coverage for all FDA-approved contraceptives, including the abortifacients.

DOESN'T THE HHS MANDATE INCLUDE AN EXEMPTION FOR RELIGIOUS ORGANIZATIONS?

No. The HHS Mandate only exempts churches, church denominations, and church auxiliaries. There is no exemption to the HHS Mandate for any other ministry or religious non-profit. The HHS Mandate does include a so-called “accommodation” for ministries and religious non-profits that are opposed to funding abortifacients, but the “accommodation” has severe problems.

WHAT IS WRONG WITH THE HHS MANDATE'S “ACCOMMODATION?”

The HHS Mandate's “accommodation” has several problems that affect organizations' religious liberty rights. A non-profit that accepts the “accommodation”:

- Is indirectly arranging for abortifacient and abortion counseling coverage because the religious non-profit's insurer must provide full coverage for abortifacients and abortion counseling at no cost to the non-profit's employee.
- Is shifting the cost of the objectionable coverage to individuals who purchase health insurance from the objecting non-profit's insurance provider.
- Is accepting that the government may divide different religious organizations into different “tiers” of “how religious” they really are and prescribe different levels of “accommodation” for each. The “most religious” organizations—churches and denominations—are exempt from the HHS Mandate's requirements while “less religious” organizations like non-profit religious ministries must still indirectly provide for funding of and counseling in the use of abortifacients.

ABOUT LIBERTY INSTITUTE

Liberty Institute is the largest legal organization dedicated solely to defending and restoring religious liberty in America. Our vision is to re-establish religious liberty in accordance with the principles of our Founding Fathers. Through our work in the courts, in the legislature, and in the media, Liberty Institute is leading the charge to protect and restore America's first and most important freedom: our freedom of religion.

Liberty Institute is a 501(c)(3) non-profit ministry.

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