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Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services under Patient Protection and Affordable Care Act: Amendment

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General Comment

The inclusion of family planning as preventive health care requires no one to use it or to endorse it. Nor does it infer that its use is or is not morally legitimate. This guideline involves no restriction on anybody's freedom, religious or otherwise. Indeed, it could be argued that it allows greater freedom. Religious freedom is an expansive rather than restrictive idea. It is not about telling people what they can and cannot believe or practice, but rather giving people the space to follow their own conscience in what they believe or practice. The protections extend to one's personal religious beliefs and practices, but they do not give license to obstruct or coerce the exercise of another's conscience. For that reason, we believe that institution-encompassing refusal clauses are far too broad to be equitable—clamping down, as they do, on the rights of both the professional and the patient. We are concerned that those who call for the expansion of the religious exemption have muddied the waters of religious freedom and its protections in the United States. Just as the majority of Catholic women who use birth control will not be served by the bishops trying to restrict coverage in their name, we deplore the restriction of individual freedoms in the name of religious freedom. The consequences of this confusion could be severe. The groups pushing for a complete rescission of the coverage for contraception are doing so in part because the number of religious organizations that meet the criteria for the proposed exemption is relatively small. One of the possible effects of the

exemption

as it now stands could be to encourage faith-based organizations to hire and serve only those who share their beliefs, and thus meet the one of the qualifications to refuse coverage. It's not hard to picture a social landscape made up of many small islands serving and hiring only people of a particular faith. This is not at all the meaning of "social service" that most of us believe in.