

Christian Universities Renew Legal Fight Against Mandatory Abortion Pill Coverage

Alliance Defending Freedom attorneys filed a petition with the U.S. Supreme Court Friday that asks it to take up a challenge to the Obama administration's abortion-pill mandate by four Christian universities in Oklahoma. On July 14, the U.S. Court of Appeals for the 10th Circuit upheld the mandate, which forces employers, regardless of their religious or moral convictions, to provide health plans that create access to abortion-inducing drugs, sterilization, and contraception under threat of heavy penalties. The four universities – Southern Nazarene University, Oklahoma Wesleyan University, Oklahoma Baptist University, and Mid-America Christian University – specifically object to facilitating the purchase of abortifacients. “The government should not force faith-based organizations to be involved in providing abortion pills to their employees or students,” said ADF Senior Counsel Gregory S. Baylor. “All Americans should oppose unjust laws that force people – under threat of punishment – to give up their fundamental freedoms in order to provide health plans the government prefers. It’s no different for these Christian colleges, which simply want to abide by the very faith they espouse and teach. We are asking the Supreme Court to ensure that people of faith will not be punished for making decisions consistent with that faith.” ADF attorneys and allied attorneys represented Conestoga Wood Specialties and its owners in their victory against the abortion-pill mandate at the U.S. Supreme Court last year. The SNU case and others are now asking the Supreme Court to weigh in on cases involving non-profit organizations. Although the administration argues that executing and submitting a so-called “accommodation” form insulates religious nonprofits from the provision of

abortifacients, the petition for writ of certiorari filed in *Southern Nazarene University v. Burwell* explains “that is not the case.” As the petition explains, the form directly involves the Christian universities in providing abortifacients in multiple ways by, for example: (1) altering their health plans to allow for the provision of such drugs or devices, (2) requiring them to notify or identify to the government who their insurers or third-party administrators are so that they can provide the drugs or devices on the universities’ behalf, (3) officially authorizing their TPA as a plan and claims administrator solely for the purpose of providing the items, and (4) requiring them to identify and contract with a TPA that is willing to provide the drugs and devices to which they religiously object. “The form is thus far more than a notification of [the universities]’ religious objection to abortifacient contraceptives; it legally and practically serves to bring the provision of those contraceptives about,” the petition states. “Religious nonprofits urgently need this Court’s guidance, and this case is a clean vehicle for clarifying free exercise law.” Alliance Defending Freedom attorneys and allied attorneys are also litigating numerous other lawsuits against the mandate.