

Federal Court Halts Biden Administration's Transgender Mandates for Businesses

A federal district court has issued an order temporarily halting the enforcement of two Biden administration transgender mandates.

The mandates force both nonprofit and for-profit religious employers and health-care providers to pay for and perform surgeries, procedures, counseling, and treatments that seek to alter a patient's biological sex, even if such actions violate the employers' or providers' religious beliefs.

Alliance Defending Freedom (ADF) attorneys requested the preliminary injunction in a lawsuit filed on behalf of the nonprofit Christian Employers Alliance (CEA). The U.S. District Court for the District of North Dakota found that CEA is likely to prevail in its suit and therefore issued the order halting enforcement of the transgender mandates against CEA while the lawsuit proceeds.

"All employers and health-care providers, including those in the Christian Employers Alliance, have the constitutional right to conduct their business and render treatment in a manner consistent with their deeply held religious beliefs," said ADF Legal Counsel Jacob Reed.

"The employers we represent believe that God purposefully created humans as either male or female, and so it would violate their religious beliefs to pay for or perform life-altering medical procedures or surgeries that seek to change one's biological sex. The court was on firm ground to halt enforcement of these unlawful mandates that disrespect people of faith," Reed said.

As CBN News reported last October, the CEA lawsuit argues that the Equal Employment Opportunity Commission is misinterpreting and improperly enforcing discrimination based on sex in Title VII to force religious employers to pay for and provide health insurance coverage for such surgeries and procedures.

Additionally, the lawsuit challenges the U.S. Department of Health and Human Services' (HHS) reinterpretation of "sex" in federal law to include gender identity. That HHS redefinition of "sex" forces religious health-care providers who receive federal funding to physically perform or facilitate surgeries and procedures that conflict with their deeply held beliefs.

"No government agency ought to be in the business of evaluating the sincerity of another's religious beliefs," the court wrote in its order in *Christian Employers Alliance v. Equal Employment Opportunity Commission*.

"HHS Guidance encourages a parent to file a complaint if a medical provider refuses to gender transition their child, of any age, including an infant," the court continued. "The thought that a newborn child could be surgically altered to change gender is the result of the Biden HHS Notification and HHS Guidance that brands a medical professional's refusal to do so as discrimination. Indeed, the HHS Guidance specifically invites the public to file complaints for acting in a manner the Alliance says is consistent with their sincerely held religious beliefs."

"Beyond the religious implications, the Biden HHS Notification and resulting HHS Guidance frustrate the proper care of gender dysphoria, where even among adults who experience the condition, a diagnosis occurs following the considered involvement of medical professionals ..." the court added. "By branding the consideration as 'discrimination,' the HHS prohibits the medical profession from evaluating what is best for the patient in what is certainly a complex mental health question." {eo}

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