

Federal Court Rules California Can't Force Churches to Cover Abortions

Three California churches do not have to pay for elective abortions in their health insurance plans, winning an eight year legal battle against the state after a federal court ruled in their favor.

Alliance Defending Freedom attorneys representing Foothill Church in Glendora, Calvary Chapel Chino Hills in Chino and The Shepherd of the Hills Church in Porter Ranch filed a motion in April asking the court to definitively rule in their favor and allow the churches to operate according to their religious beliefs, that uphold the sanctity of unborn lives.

U.S. District Chief Judge Kimberly Mueller of the Eastern District of California, Sacramento Division ruled on Thursday in Foothill Church v. Watanabe that the California Department of Managed Health Care (DMHC) mandate against the churches is unconstitutional.

In Mueller's 22-page opinion, she wrote the DMHC infringed on the churches' First Amendment rights by denying their request for exemption to the abortions being added to their insurance plans. She also directly criticized the department's director, Mary Watanabe.

"In sum, the director has not shown '{she} lacks other means of achieving {her} desired goal without imposing a substantial burden on the exercise of religion by {plaintiffs},' the judge wrote. "The director's denial of the churches' request for exceptions to accommodate their religious beliefs, based solely on the fact that those requests did not originate with a plan, was not narrowly tailored to serve a compelling interest."

“Even assuming similar religious challenges materialized in California in large numbers, the director has not offered evidence showing that entertaining these religious objections would be so difficult and time-consuming that DMHC’s operations would grind to a halt,” Mueller added.

The judge directed the churches and the state to file briefs on the remedies and scope of injunctive relief sought within 30 days.

ADF Senior Counsel Jeremiah Galus hailed the judge’s ruling, noting the state of California has unconstitutionally targeted faith-based organizations for years.

“The government can’t force a church or any other religious employer to violate their faith and conscience by participating in funding abortion,” Galus said. “For years, California has unconstitutionally targeted faith-based organizations, so we’re pleased the court has found this mandate unconstitutional and will allow the churches we represent to operate freely according to their religious beliefs.”

Back in 2014, the churches filed a complaint against the DMHC for putting a mandate in place requiring all employers, including religious institutions, to include abortion in their health care coverage. The agency responded by reaffirming its intentions to require all insurance plans to include coverage for abortion, according to the news website The Paradise.

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