

NY Judge Rules Faith Groups Exempt From Contraception Mandate

A U.S. judge has ruled that four organizations with ties to the **Roman Catholic Church** are exempt from a provision of the **Affordable Care Act** that requires them to provide coverage for contraceptive services and counseling to their employees.

Judge Brian Cogan in U.S. District Court in Brooklyn found that the four New York-area Roman Catholic entities—two schools and two health care organizations—faced “some present detriment” by being forced to comply with the **contraception mandate** or face financial penalties.

Under the Affordable Care Act, nonprofits—including those linked to a religious entity—are required to provide contraceptive care under their **health care plans** to employees or authorize a third party to voluntarily pay for and provide the coverage. Fines for not complying with the provision can be up to \$100 a day.

Churches and houses of worship are exempt from the requirement.

Arguing that the mandate violates their right to **religious liberty**, the four New York-area organizations—Catholic Health Care System, Catholic Health Services of Long Island, Cardinal Spellman High School and Monsignor Farrell High School—along with the Archdiocese of New York, had sued to seek a permanent injunction. The four organizations insure some 30,000 individuals of all faiths.

Catholic doctrine holds that contraception and sterilization are immoral and interfere with the creation of life.

Siding with the organizations, the judge on Monday ruled the mandate “has caused and will continue to cause plaintiffs harm” by forcing them to either violate the tenets of their religious faith or be required to pay substantial penalties.

The Archdiocese of New York welcomed the decision.

“The court has correctly cut through the artificial construct which essentially made faith-based organizations other than churches and other houses of worship second-class citizens with second-class First Amendment protections,” spokesman Joseph Zwilling said in a statement.

The federal government can appeal the ruling.

Editing by Barbara Goldberg and Gunna Dickson

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