

Obama administration revises controversial contraception mandate

February 1 2013, by Steven Reinberg, Healthday Reporter



Move comes in response to religious groups that oppose birth control.

(HealthDay)—Religious organizations that object to providing birth control coverage under the Affordable Care Act would be allowed to hand that responsibility off to a third party under new rules proposed Friday by the Obama administration.

The so-called "contraception mandate" has already been challenged in court by numerous groups on the grounds that it violates their religious beliefs. [Federal health officials](#) said Friday that the new rules are an attempt to address some of those concerns.

"The [Obama] administration is committed to working with all employers to give them the flexibility and resources they need to implement the [health care law](#) in a way that both protects women's health and also makes common-sense accommodations for religious beliefs,"

Chiquita Brooks-LaSure, deputy director for policy and regulation at the U.S. Department of Health and Human Services' Center for Consumer Information and Insurance Oversight, said at a news conference.

The proposed rules show how nonprofit religious organizations, such as Catholic hospitals or universities, can offer their employees or students separate contraceptive coverage that would be provided by a third party or insurer. There would still be no co-pay and the cost of the coverage would not be carried by the religious organization.

There will be a 60-day comment period on this latest reworking of the mandate, part of the sweeping 2010 health-reform law known as the Affordable Care Act. The mandate is scheduled to go into effect for religious nonprofits in August.

Religious groups had mixed reactions to the proposal.

New York Archbishop Cardinal Timothy Dolan, president of the United States Conference of Catholic Bishops, said in a statement that he looked forward to studying the proposed regulations, *The [New York Times](#)* reported.

Stephen Schneck, director of Catholic University of America's Institute for Policy Research and Catholic Studies, told the newspaper that the proposed rules were "an important win for religious institutions."

Meanwhile, women's-rights groups continued to voice support for the guiding principle behind the original provision in the [Affordable Care Act](#).

"This policy delivers on the promise of women having access to birth control without co-pays no matter where they work," Planned Parenthood said in a statement released Friday. "Of course, we are

reviewing the technical aspects of this proposal, but the principle is clear and consistent. This policy makes it clear that your boss does not get to decide whether you can have birth control."

Marcia Greenberger, co-president of the National Women's Law Center, noted that, "Our overriding concern is that women have meaningful access to essential preventive health care services, like [birth control](#), without co-pays or deductibles. We look forward to reviewing and commenting on the proposed regulation in detail to ensure that women are able to make personal health decisions without interference by their bosses."

Although no federal dollars will be used to fund the program, the cost to insurers isn't known and the government is seeking comment on costs, Brooks-LaSure said.

For institutions that insure themselves, their third-party administrator would work with an insurance company to provide a separate plan to cover contraceptives, she said.

The rules also clarify the definition of a "religious employer," making it clear who can opt out of contraceptive coverage on such grounds. Primarily, these are churches, other houses of worship and their affiliated organizations, according to Health and Human Services.

In addition, a religious group could be exempt even if it "provides charitable social services to persons of different religious faiths or employs persons of different religious faiths," HHS said.

Government officials said they did not think the proposal would expand the number of employer plans that qualify for the exemption.

More information: For more on the Affordable Care Act, visit the

[HealthCare.gov](#).

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