

Colorado nuns appeal birth control ruling to Supreme Court

July 23 2015, by Nicholas Riccardi

A group of Colorado nuns said Thursday they will go to the U.S. Supreme Court to appeal a ruling that allows their employees to receive birth control from a third party under the Affordable Care Act, fueling a combustible argument over contraception and religion ahead of next year's presidential election.

Attorneys for Little Sisters of the Poor and four Oklahoma Christian colleges said last week's ruling from the 10th Circuit Court of Appeals in Denver violates their religious freedom, in an argument that goes beyond last year's Hobby Lobby case.

A three-judge panel on the federal appellate court found that President Barack Obama's [health care law](#) accommodates religious nonprofits by allowing them to seek exemption from a requirement to provide contraception to employees. The religious institutions, however, argue that the exemption is inadequate because a third party will still end up providing [birth control](#) coverage in opposition to their [religious beliefs](#).

"The Sisters consider it immoral to help the government distribute these drugs," Mark Rienzi, senior counsel for the Becket Fund for Religious Liberty, who represented the nuns, said in a statement.

"But instead of simply exempting them, the government insists that it can take over their ministry's employee healthcare to distribute these drugs to their employees, while dismissing the Sisters' moral objections as irrelevant," Rienzi said.

Last year, the Supreme Court found "closely held" businesses such as Hobby Lobby were also exempt from the law's [contraception](#) mandate. Those businesses now have access to the exemption that the nuns contend is inadequate.

Five other federal appeals courts—based in Chicago, Cincinnati, New Orleans, Philadelphia and Washington, DC—also have ruled against religious nonprofits challenging the exemption.

Nonprofit groups in Pennsylvania, Texas and Washington already have appealed to the Supreme Court, which won't decide whether to hear any of the cases before the fall.

If the justices take up the case it would be heard and decided before the end of June 2016.

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