

Federal agency upholds California abortion coverage mandate

June 22 2016

President Barack Obama's administration said Tuesday that California did not violate a religious freedom law when it ordered health insurance companies to pay for elective abortions.

The decision by the U.S. Department of Health and Human Services upholds California's 2014 order requiring seven [insurance companies](#) to rescind and re-issue policies covering workers at organizations whose leadership objects to abortion on moral grounds, such as Catholic universities.

Three complaints were filed with federal authorities under the Weldon Amendment, which protects health care entities from being required to get involved with abortions.

In a letter announcing her findings, Jocelyn Samuels, head of the HHS Office for Civil Rights, said the state acted within its rights because the Weldon Amendment applied to insurance companies, not the employers that have a moral objection to abortion.

"At the time (California) sent the letter, all of the insurers offered plans that covered abortion, demonstrating that they have no religious or moral objection to that procedure," Samuels wrote.

The letter notes that the California Department of Managed Health Care allowed one insurance company, Anthem Blue Cross, to exclude voluntary abortion coverage in policies for religious employers, such as

churches. Under California's definition, religious employers must predominantly employ and serve people who share the same religious tenets—a definition that likely doesn't apply to many religious universities or hospitals.

In a statement on its website, the Alliance Defending Freedom, which challenged California's ruling along with the Life Legal Defense Foundation, condemned the decision.

"The Obama Administration's refusal to enforce this law continues its pattern of enforcing laws it wants to enforce, refusing to enforce others, and inventing new interpretations of others out of whole cloth," said Casey Mattox, senior counsel for the organization.

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