



RELIGIOUS FREEDOM WEEKLY
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Americans for Freedom of Religion

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*"It's the duty of everyone to defend religious freedom and promote it for all people."
Pope Francis*

Proposed Health and Human Services Rule Could End All Catholic Healthcare

Recent court filings uncovered by the Catholic Benefits Association show the Department of Health and Human Services (HHS) is working to establish sweeping sex-discrimination regulations to dismantle the religious-liberty protections in health-care law. "Discovery of a 74-page legal memorandum attached to a court filing ... revealed that HHS has promised to revise its mandates on health plan coverage and performance to include surgical abortion, cross-sex hormones, gender-transition surgeries, gender-affirming cosmetic surgeries and voice modification ... contraception, abortion drugs and sterilizations," wrote Tom Tracy, Catholic News Service.⁽¹⁾ The new mandate "would not only disallow religious exemptions but would have a broad cost and compliance impact on all U.S. employers."⁽²⁾

"The forthcoming HHS regulation presents an existential threat to Catholic health care because the penalties to noncompliance will include private enforcement, class-action lawsuits ... The penalties may also include loss of Medicare and Medicaid funding and even imprisonment for noncomplying health care executives," said attorney Mark Nussbaum, advisor to CO - Catholic Benefits Association.⁽³⁾ "Such sanctions can shut down any hospital network. ... Such performance mandates will harm health care in the U.S. overall, given that Catholic hospitals provide an estimated 1/6 of hospital beds nationally."⁽⁴⁾

"Until November, 2021, when our attorneys discovered it in a 74-page court filing, nobody knew about it," said Doug Wilson, CEO of CO-based Catholic Benefits Association. "The general public has almost no awareness of what may be coming. It is written to end Catholic health care. The requirements are so beyond Catholic teaching that Catholic employers of every sort would be faced with complying or shutting down," Wilson said.⁽⁵⁾

(catholicnews.com, 4/5/22(1)(2); americamagazine.org, 4/5/22(3)(4); nregister.com, 11/17/21; cruxnow.com, 4/5/22(5))

*"Religious freedom is the lifeblood of the American people,
the cornerstone of American government." Cardinal Timothy Dolan*