



Focus on Religious Freedom

"A religion that doesn't interfere with the secular order will soon discover that the secular order will not refrain from interfering with it." Archbishop Fulton J. Sheen

New HHS Rule Would Deny Religious Freedom's Conscience Protections in Healthcare

Before April 2022 Catholics and Americans of all faiths must learn, pray, speak out, and act. The Department of Health and Human Services (HHS) seeks to reverse and dismantle the Affordable Care Act (ACA) religious liberty protections that were implemented in 2017 as well as the 2020 clarification of discrimination criteria. The proposed new rule would add an "expansive definition" of discrimination on the basis of sex. "Via this redefinition of sexual discrimination, all health-care entities must participate in the provision of abortions, sterilizations, contraception, (and) gender-transition services." ⁽¹⁾ Adding "sexual orientation and gender identity" to the ACA would require insurers to cover transgender surgeries, cross sex hormones and puberty blockers as "medically necessary gender-affirming care" without the ability to investigate religious freedom complaints. ⁽²⁾

This new HHS rule, if approved, would allow no religious exemptions, and would force many medical professionals to violate their medical expertise and religious convictions. HHS advises in court documents that it expects this rule to be enacted in April 2022.

In late 2017, the administration delegated to the Office of Civil Rights (OCR) broad authority to enforce violations of the Religious Freedom Restoration Act (RFRA). "Prior to the delegation in 2017, no division was singularly responsible for the Department's compliance with RFRA or the First Amendment," wrote OCR Director Lisa Pino. ⁽³⁾

Also, in June 2020, HHS issued a final rule that affirmed it cannot discriminate on the basis of race, color, national origin, disability, age or sex. HHS "did not create new protected categories under civil rights law," and determined that sex discrimination does not include gender identity or sexual orientation. ⁽⁴⁾ Sex neuroscientist, Debra Soh, explains that the term "gender" is a social and psychological correlate to sex and connotes "masculine" and "feminine." But gender is not a biological characteristic as is "male" and "female," nor is it equivalent to the inherent, biological characteristics of race, color, etc.

This plan would "effectively remove all religious considerations from issues around life, family, marriage, the very nature of men and women," said Doug Wilson, from Catholic Benefits Association. "This isn't a Catholic issue; this is a religious issue. This will impact everyone religious, and, essentially, they're saying that your beliefs have no standing in this discussion." ⁽⁵⁾

(ncregister.com, 11/24/21(1)(5); dailycitizen.com, 2/4/22(2); christianpost.com, 11/17/21(3); hhs.gov, 6/12/20; asha.org, 6/16/20(4))

***Pope Francis appealed that freedom of conscience "always and everywhere be respected."
June 17, 2020***

Shortened Version:



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