



Focus on Religious Freedom

Religious Liberty and Catholic Health Services at Risk If Latest HHS Super Rule is Mandated

“The new rule in development has the potential for adverse effects on Catholic employers, but could prove devastating to Catholic health-care providers, including Catholic hospitals that care for one in six hospital patients in the United States.”

- Peter Jesserer Smith; National Catholic Register, Nov. 17, 2021

"The same excellent care will be provided in a Catholic hospital to all patients, including patients who identify as transgender, whether it be for a broken bone or for cancer," said four committee chairs of the U.S. Conference of Catholic Bishops. "But we cannot do what our faith forbids. We object to harmful procedures, not to patients." ⁽¹⁾

The recently published Health and Human Services (HHS) Section 1557 Super Rule would deny religious freedom since it allows no exceptions for religious or conscience beliefs or for certain insurance plans. The proposal is part of the HHS department's attempt to clarify a section of the 2010 Affordable Care Act (Obamacare), to ensure that all medical practitioners and institutions be willing and able to provide services like transgender surgeries, "gender affirming care," puberty blockers for children as young as 12 years old, abortions, assisted suicide and more. ⁽²⁾

"Sadly, (these) proposed regulations threaten our ability to carry out our healing ministries, and others' to practice medicine. They mandate health care workers to perform life-altering surgeries to remove perfectly healthy body parts," said Cardinal Timothy Dolan of New York and three other archbishops. "Assurances that HHS will honor religious freedom laws offer little comfort when HHS is actively fighting court rulings that declared HHS violated religious freedom laws the last time they tried to impose such a mandate. This is a violation of religious freedom and bad medicine." ⁽³⁾

The U.S. Bishops stress that Catholic health care ministries serve everyone, no matter what their race, sex, belief system, or any other characteristic. The 2,400-member Catholic Medical Association called the proposed rule "coercive" and a "clear violation of First Amendment protections." ⁽⁴⁾

"Every health care facility, especially those of Christian inspiration, should be a place where care for the person is practiced and where it can be said: 'Here you do not see only doctors and patients, but people who welcome and help each other: here you can experience the therapy of human dignity.'" - Pope Francis

(aleteia.org, 7/28/22(1)(3)(4); catholicbenefitsassociation.org (2); ncregister.com, 10/25/22; usccb.org; America magazine.org,9/26/22)