

FOR IMMEDIATE RELEASE

Catholic Employers' Association Wins Permanent Injunctions Against Obama-era Transgender Coverage Mandate

DENVER, Colo., January 20, 2021 -- In a major religious rights victory, a federal judge has ruled in favor of Catholic Benefits Association (CBA) and its members in their suit filed in 2016. The ruling gives declaratory and permanent injunctive relief against the Health and Human Services (HHS) 2016 regulation interpreting Section 1557 of the Affordable Care Act mandating insurance coverage for gender transition drugs and surgeries. It similarly enjoins the EEOC from issuing similar regulations or undertaking investigations or enforcement actions based on its interpretations of sex discrimination under Title VII. This far-reaching victory extends to all CBA members and all *future* members of the Association.

HHS 2016 regulation forces medical professionals, hospitals, and insurers to not only provide health plan coverage for gender transition drugs and surgeries, and it actually forces certain physicians and hospitals to perform these services regardless of their religious beliefs and medical judgment. HHS regulations tie to the EEOC so that the EEOC mandates similar health plan coverage under Title VII. The resulting rules and interpretations require all employers with more than 15 employees to provide transgender coverages in their health plan. There are no religious exemptions. The CBA judgment provides immediate relief specifically to CBA's 65 Catholic Dioceses and its 1100 Catholic church affiliates and private business owners.

"We are grateful that the court provided permanent injunctive protections to our members not only from the 2016 mandates of the ACA Section 1557, but also similar EEOC rules, and discrimination claims based on interpretations of sex under Title VII," stated Doug Wilson, CEO of Catholic Benefits Association. "While other suits have been filed in response to the Affordable Care Act's burdening of religious freedoms by the 2016 regulation, our suit was unique in addressing application of this mandate by EEOC and in interpretations of it under Title VII. Our members can continue to provide the highest quality employee benefits to their 90,000 employees and their families, while living their religious beliefs. These protections also extend to each employer's insurer, third-party administrator, and to future members of CBA. This is a victory not just for CBA, but for religious freedom itself."

This most recent set of CBA protections add to others previously secured by CBA, including protection from the Contraceptive mandates in ACA. CBA continues to advocate against mandated participation in government-approved clinical trials which utilize embryonic stem cells and fetal tissue, as well as 23 states with laws and regulations which lack religious exemptions.

Mr. Wilson continued, "This victory would not have been possible without the unwavering support of our members. We are also grateful for the partnership with our co-plaintiffs, Catholic Medical Association, the Diocese of Fargo, and Catholic Charities of North Dakota. These rulings will protect Catholic employers for years to come."

The CBA is an association of Catholic churches, Church affiliates, and private Catholic employers nationwide, committed to maintaining Catholic identity within their organizations. Through

religious liberty protections, legal advocacy, and human resources consultation, CBA provides member organizations protections that support their first amendment right to religious liberty as Catholic employers.

Contact Mandy Cox, Director of Member Services

303-688-3822, mandycox@catholicbenefitsassociation.org