



CATHOLIC
MEDICAL
ASSOCIATION

SUMMER 2021

[All Issues](#) > [2021 Summer](#) > Leading a Coalition in Defense of Religious Liberty

Leading a Coalition in Defense of Religious Liberty

BY MANDY COX

“Americans of all ages, all conditions, all minds constantly unite.” — Alexander de Tocqueville

Ten years have passed since the Affordable Care Act was signed into law. This moment in American history marked a rapid increase in challenges facing Catholics as we live out our faith in the public square. In response, the [Catholic Benefits Association](#) (CBA) was founded to advocate for and litigate in defense of our members’ First Amendment rights to provide employee benefits in a manner consistent with the Catholic faith. CBA is comprised of a growing and diverse coalition of Catholic organizations.

Federal and state mandates seem to disregard how moral beliefs impact all aspects of a person’s life beyond their Sunday worship. But as Catholics face increasing challenges, we are also experiencing a renewal in the strength of our unified voice — Catholics are drawing from the experience of others and organizing themselves to have greater success in efforts to recapture our religious liberties.

The latest example is the recent CBA led court victory against the U.S. Department of Health and Human Services’ (HHS) interpretation of Section 1557 of the Affordable Care Act (ACA), and its implications in Title VII of the U.S. Equal Employment Opportunity Commission (EEOC).

In 2016, the HHS announced that it would interpret Section 1557 of the ACA to extend to gender transition services and Title VII of the EEOC to include gender transition. These actions were met with great concern by Catholics. What drew public attention was that this mandate would force all health providers to participate or refer for gender transition services, regardless of their moral and medical opinion. The Catholic Benefits Association saw an additional danger for Catholic employers: this mandate would force all employers to cover gender transition services in their health plans, with no exemption. Period.

The CBA filed a lawsuit in partnership with the [Catholic Medical Association](#), the Diocese of Fargo and the Catholic Charities of North Dakota as co-plaintiffs, with their heroic willingness to publicly stand against this mandate.

The far-reaching victory that resulted provides immediate, permanent injunctive relief to the members in the suit, including CBA’s 65 Catholic Dioceses and its 1,100 Catholic church

affiliates and private business owners. Further, the protection extends to all *future* members of the Association.

“This victory would not have been possible without the unwavering support of our members,” said Doug Wilson, CEO of Catholic Benefits Association. “These rulings will protect Catholic employers for years to come.”

This was CBA’s second major victory against the ACA. The first suit was against the Affordable Care Act’s mandates that required employers to provide coverage for contraceptives, abortifacients, sterilization, and their related counseling (CASC). There were few exceptions to these mandates.

As Catholic leaders advocated on behalf of the faithful, CBA was orchestrating a powerful litigation strategy to bring relief to the greatest number of employers. CBA’s suit included ministries, as well as privately owned non-profit and for-profit businesses. Its argument was made more powerful because of the unified belief of its Catholic members.

CBA won permanent injunctive relief from this federal mandate for all its members, as well as protecting the insurer and third-party administrator used to administer health benefits for their employees. CBA won the most extensive protection for the greatest number of Catholic employers compared to all other CASC lawsuits filed. Further, that victory also extends to all new members of CBA.

Complaints filed by CBA before HHS and the Office of Civil Rights have been given priority status of investigation because of the sheer number of members in the Association. Catholic business owners amplify their impact in the public square by joining together with others. CBA protects the religious liberty of its members so that they are free to focus on their ministries and businesses.

It is only through coming together in the Power of Association™ that Catholics can reignite the strength of our voice. The Catholic Benefits Association is laser-focused on securing the religious liberty of Catholic employers. Its victories empower the work of other organizations such as the Catholic Medical Association that are laboring in areas of concern for Catholics. The Catholic community of believers is a sleeping giant that has the power to reclaim and renew our nation. There is great hope as we find the power of working together.

Mandy Cox is the Director of Member Services and Communication for the Catholic Benefits Association. Catholic employers interested in learning more about the benefits and protections offered through CBA membership may contact Mandy at mandycox@catholicbenefitsassociation.org.