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Obama Admin Violates Religious Liberty Amendment Against Calif. Churches

"...once again making a mockery of the law..."

R. McKinley June 22, 2016 at 9:35am

The Obama administration has decided to uphold a California mandate forcing churches in the state to pay for abortions.

In 2014, the California Department of Managed Healthcare [ruled](#) abortion a "basic health service" under the Affordable Care Act, forcing all California insurance plans, including those of churches, to cover it. In October 2015, three churches filed a lawsuit based on the Weldon Amendment, a federal law upholding conscience rights.

On Tuesday, the HHS Office of Civil Rights issued its findings; they claim there is no violation and are closing the case. Their argument? The Weldon Amendment protects only health insurance plans, not the plans' buyers.

ABC News [reports](#), "In a letter announcing her findings, Jocelyn Samuels, head of the HHS Office for Civil Rights, said the state acted within its rights because the Weldon Amendment applied to insurance companies, not the employers that have a moral objection to abortion."

"At the time (California) sent the letter, all of the insurers offered plans that covered abortion, demonstrating that they have no religious or moral objection to that procedure," Samuels wrote.

Pro-life leaders and congressmen are extremely displeased. "Nearly two years after California imposed its draconian mandate that requires all insurance companies to pay for abortion the Obama Administration has reached a new low — reinterpreting the Weldon amendment to allow the mandate to continue," [said](#) Rep. Chris Smith, Co-Chair of the Bipartisan Congressional Pro-Life Caucus. "This means that Californians, including churches, will continue to be forced to pay for elective abortions in their insurance plans."

Smith pointed out the long-standing, bipartisan heritage of the Weldon Amendment. "The Weldon amendment – named for the Florida Congressman Dave Weldon who authored it – has been renewed and signed into law annually, including by President Obama," he [said](#). "The Weldon Amendment protects against state-imposed abortion mandates. But Obama's Administration has again shown blatant disregard for the rule of law. This decision illustrates the far reaches of Obama's radical pro-abortion ideology – forcing churches and communities of faith that have pro-life convictions to participate in and pay for a practice that dismembers and chemically poisons unborn children."

He has advised Congress to take action. "Congress must not let this discrimination stand," he said. "We must take this issue out of the hands of the Obama Administration by moving enforcement of current conscience protections to the courts. Congress needs to enact legislation so churches and other victims have a 'private right of action' so they can have their day in court."

Alliance Defending Freedom, one of the organizations handling the lawsuit, issued a [statement](#) condemning the ruling. "The Obama Administration is once again making a mockery of the law, and this time in the most unimaginable way," [said](#) Alliance Defending Freedom Senior Counsel Casey Mattox. "Churches should never be forced to cover elective abortion in their insurance plans, and for ten years the Weldon Amendment has protected the right to have plans that do not include coverage for abortion-on-demand. But the state of California has ordered every insurer, even those insuring churches, to cover elective abortions in blatant violation of the law."

"The Obama Administration's refusal to enforce this law continues its pattern of enforcing laws it wants to

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enforce others, and inventing new interpretations of others out of whole cloth," Mattox

continued. "We will continue to defend churches from this clear violation of the First Amendment and federal law and call on Congress to hold the Department of Health and Human Services accountable."

The plaintiffs in the case, Foothill Church in Glendora, Calvary Chapel Chino Hills in Chino, and The Shepherd of the Hills Church in Porter Ranch, plan to continue the case. Alliance Defending Freedom is in communication with a federal court regarding the next steps.

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Via: [Life News](#)

By: [R. McKinley](#) on June 22, 2016 at 9:35am

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