



Written by [Dave Bohon](#) on October 21, 2013

Scores of Ministries File Class Action Suit Against Contraception Mandate

Over 100 Christian ministries have filed a class-action lawsuit to stop the implementation of the mandate of the Department of Health and Human Services (HHS) requiring employers to provide free contraceptives — including abortion-causing drugs — to their employees. The ministries, which all provide health benefits to their employees through the Southern Baptist Convention's (SBC) [GuideStone Financial Resources](#), do not qualify for the exemption that HHS offers to churches and a few narrowly defined religious organizations.



The Becket Fund
FOR RELIGIOUS LIBERTY

Three non-profit religious organizations are named as complainants in the suit against the mandate, filed by the [Becket Fund for Religious Liberty](#): GuideStone, the SBC's benefits arm, which has been providing retirement and health benefits to Southern Baptist churches and affiliated ministries for nearly a century; [Reaching Souls International](#), a nonprofit evangelistic ministry with outreaches to Africa, India, and Cuba; and [Truett-McConnell College](#), a Baptist higher education institution in Cleveland, Georgia.

The two non-profits represent the class of over 100 organizations that provide their employee health benefits through GuideStone, all of which are on a collision course with exorbitant federal fines if they do not compromise their Christian convictions and begin to offer the free contraceptives — including abortifacient drugs — to their workers. The deadline to comply with the mandate is January 1, 2014.

"The government's refusal to treat these ministries as 'religious employers' is senseless," said Mark Rienzi, senior counsel for the Becket Fund. "These people spend their lives teaching and preaching their religious faith. If they do not qualify as 'religious employers,' the government needs to get a new definition."

O.S. Hawkins, GuideStone's president and CEO, said in a prepared statement that "the very purpose of the GuideStone plan is to provide ministry organizations with employee health benefits according to biblical principles. The government shouldn't prohibit us from continuing in that ministry."

Hawkins emphasized that GuideStone health plans "do not cover drugs or devices that can or do cause abortions." He said that his group "reluctantly" filed the lawsuit "because we are committed to protecting the unborn and preserving the religious freedom that is guaranteed under the laws of this nation. This mandate runs rough-shod over these foundational principles."

He noted that since the mandate was announced and HHS moved forward with its implementation, "GuideStone has diligently pursued a number of avenues with Congress and the Administration to protect those we serve. While we have secured some partial relief, it does not go far enough. Many ministry organizations are still in harm's way despite the fact that they also share core convictions regarding the sanctity of life."



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Reaching Souls International, founded in 1986 by an SBC pastor, trains and provides support to indigenous Christian ministers in India, Africa, and Cuba. The group also rescues orphans in the countries and places them in loving homes. The organization says it has impacted over 20 million people through its services in the past 27 years. The organization faces at least \$365,000 per year in federal fines if it does not comply with the HHS mandate.

Addressing the contraception mandate issue, Dustin Manis, Reaching Souls' CEO, said that "because everyone is made in the image of God, even the most vulnerable people in society should be respected, served, and loved. That's why Reaching Souls is committed to reaching the neediest people with the gospel and caring for orphaned children, and it's why we believe that human life should be protected from conception. We want to offer a health plan that reflects those commitments."

Founded in 1946, Georgia's Truett-McConnell College provides over 700 students per year with a "biblically centered" education. The school faces nearly \$3 million per year in federal fines if it does not comply with the mandate. "We teach our students what it means to think biblically about all areas of life," said Dr. Emir Caner, president of Truett-McConnell. "We can't tell them that human life is sacred from the time of conception and then turn around and offer health benefits that are inextricably linked to providing abortion-causing drugs."

The class-action lawsuit represents at least the 74th suit filed against the contraception mandate by religious non-profits as well as private companies whose owners are opposed to being forced to provide abortion-inducing drugs to their employees. The lawsuit being led by the Becket Fund seeks a preliminary injunction blocking enforcement of the mandate until judicial actions are completed.

The SBC's [Baptist Press News](#) reported that "the U.S. Supreme Court is expected to announce soon if it will review lower court decisions regarding the abortion/contraception mandate. Both the Department of Justice and Conestoga Wood Specialties, a Pennsylvania business owned by pro-life Christians, asked the high court September 19 to review separate decisions that clashed at the appeals court level. The DOJ petition came in an appeal won by Hobby Lobby, an Oklahoma City-based retail chain owned by pro-life evangelicals."

Should it review either or both cases, the High Court would likely hear arguments in early 2014 and announce its decision next summer.



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