



Written by [Dave Bohon](#) on October 11, 2017

Trump Administration Rolls Back ObamaCare's Birth Control Mandate

The Trump administration has announced a major rollback on the ObamaCare contraception mandate, which will grant greater protection to companies and organizations whose religious or moral convictions are at odds with the rule.

In its original form, the mandate required employers, with the exception of churches and houses of worship, to provide their employees with third-party health insurance that offered free contraception, including "morning after" pills known to cause abortion.



A number of companies and non-profit organizations filed lawsuits against the federal government, arguing that the mandate would force them to violate the religious convictions of their owners and members. In a 2014 decision involving two of those companies, Hobby Lobby and Conestoga Wood Specialties, the [Supreme Court ruled](#) that the owners of privately held companies can cite their religious convictions to exempt their businesses from the mandate.

However, under new rules announced October 6 by the Department of Health and Human Services (HHS), exemptions to the mandate will be expanded to include any non-profit organization, non-publicly traded company, or higher education institution with religious or moral objections to the contraception rule. Additionally, publicly traded companies will also be able to claim the exemption if they claim religious objections, although HHS officials said that at this time they would still be required to allow a third party insurer to cover contraception.

"No American should be forced to violate his or her own conscience in order to abide by the laws and regulations governing our health care system," HHS Press Secretary Caitlin Oakley said in a statement announcing the changes. "Today's actions affirm the Trump administration's commitment to upholding the freedoms afforded all Americans under our Constitution."

Anonymous HHS officials emphasized that the rule change is intended to offer relief to groups that have been fighting the mandate in the courts since it was first implemented by the Obama administration in 2012. "We should have space for organizations to live out their religious ideas and not face discrimination because of their religious ideas," said one official.

Planned Parenthood was quick to condemn the move, with Cecile Richards, the abortion giant's president, telling the group's constituents that with the rule change the Trump administration had taken "direct aim at birth control coverage for 62.4 million women. We need to rise up again, right now: Tell them to leave birth control coverage alone. I can't believe we still have to say this in 2017, but birth control isn't controversial. It's essential health care that nearly nine in ten women will use in her lifetime."



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The pro-abortion National Women's Law Center immediately announced that it would mount a legal challenge against the rule change. "Today's outrageous rules by the Trump administration show callous disregard for women's rights, health, and autonomy," said Fatima Goss Graves, the group's president. "By taking away women's access to no-cost birth control coverage, the rules give employers a license to discriminate against women. This will leave countless women without the critical birth control coverage they need to protect their health and economic security. We will take immediate legal steps to block these unfair and discriminatory rules."

By contrast, conservative and pro-life groups applauded the HHS announcement. Melanie Israel of the Heritage Foundation, called the contraception mandate "a burden on employers, individuals, and religious organizations who, because of their beliefs concerning the protection of unborn human life, are faced with the decision to violate sincerely held religious or moral beliefs, pay steep fines, or forgo offering or obtaining health insurance entirely." She noted that with the change made by the Trump administration "Americans will remain free to make their own decisions about, and purchase or find coverage for, the drugs and devices at issue in the mandate. And entities with objections will not be forced to be complicit in choices that would violate their religious or moral convictions."

Similarly, Tony Perkins, president of the Family Research Council, noted that "after eight years of the federal government's relentless assault on the First Amendment, the Trump administration has taken concrete steps today that will once again erect a bulwark of protection around American's First Freedom — religious freedom."

He added that "President Trump and the Department of Justice are putting federal government agencies on notice: you will not only respect the freedom of every American to believe, but live according to those beliefs. This is a freedom that has been a fundamental part of our society since the beginning of our nation."

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