

## Protect Women's Health From Corporate Interference Act

Contraception is a core preventive health service for women, coverage of which was guaranteed by the Affordable Care Act. Yet, this June the Supreme Court held in *Burwell v. Hobby Lobby* and *Conestoga Wood v. Burwell*, that some corporations can get out of complying with the Affordable Care Act's contraceptive coverage requirement if they have religious beliefs against birth control. As Justice Ruth Bader Ginsburg stated in her dissent:

*[In this] decision of startling breadth . . . the exemption sought by Hobby Lobby and Conestoga . . . would deny legions of women who do not hold their employer's beliefs access to contraceptive coverage that the ACA would otherwise secure."*

The Court's decision may embolden employers to deny other employee protections – such as health coverage for vaccines or HIV treatment. This bill would restore the contraceptive coverage requirement guaranteed by the Affordable Care Act and also protect coverage of other health services from employers who want to impose their beliefs on their employees by denying benefits.

### **The Bill**

Ensures that employers cannot interfere in their employee's decisions about contraception and other health services through discrimination by:

- Banning employers from refusing to cover any health coverage – including contraceptive coverage -- guaranteed to their employees and dependents under federal law.
- Stating that all federal laws do not permit employers to refuse to comply with the ACA requirement, including the Religious Freedom Restoration Act.
- Including the exemption from the contraceptive coverage requirement for houses of worship and the accommodation for religious non-profits.

### **The Impact of the Bill**

This bill will restore the original legal guarantee that women have access to contraceptive coverage through their employment-based insurance plans and will protect coverage of other health services from employer interference as well.

#### Stop Employers From Being Able to Single Out Women's Health for Discriminatory Treatment

The Supreme Court's decision allows bosses to interfere with their women employees' decision to use birth control by singling out this critical preventive health benefit for women. Ninety-nine percent of women use birth control at least once in their lifetimes, and the Centers for Disease Control and Prevention declared it one of the Ten Great Public Health Achievements of the 20th Century. In fact, the contraceptive coverage requirement has already made a tremendous difference in women's lives – 24 million more prescriptions for oral contraceptives were filled with no co-pay in 2013 than in 2012 and women have saved \$483 million in out-of-pocket costs for oral contraceptives. By allowing employers who otherwise cover preventive services to refuse to cover this critical women's services in this manner, the Court has sanctioned gender discrimination. Employers must not be allowed to discriminate against their employees in this manner.

#### Stop Employers From Being Allowed to Impose Their Religious Beliefs on Their Employees

The Supreme Court's decision allows for-profit business like Hobby Lobby to impose their religious beliefs on their employees. The Court decision ignores the fact that the employees' beliefs about religion are just as important and deserving of protection as the employers. An employee may not share their employer's religious beliefs. Just because someone accepts a job does not mean that they have checked their rights to religious liberty at the office door. The 13,000 Hobby Lobby employees took a job to work at an arts and crafts store, not a church or synagogue.

#### Protect Employees From Employer Attempts To Refuse to Provide Other Types of Health Care Coverage

One of the dangers of the Supreme Court's decision is that it may embolden employers to try to refuse to cover other critical health services such as vaccines, blood transfusions and HIV treatment. As Justice Ginsburg stated in her dissent "[t]he Court, I fear, has ventured into a minefield."