

TIM MURPHY
18TH DISTRICT, PENNSYLVANIA

COMMITTEE ON ENERGY AND COMMERCE
HEALTH
COMMERCE, TRADE AND CONSUMER PROTECTION



CO-CHAIR, STEEL CAUCUS
CO-CHAIR, 21ST CENTURY HEALTH
CARE CAUCUS
CO-CHAIR, MENTAL HEALTH CAUCUS
CO-CHAIR, FRIENDS OF IRELAND
SUBURBAN CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515

Website: murphy.house.gov

October 4, 2011

Secretary Kathleen Sebelius
Department Of Health And Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Sebelius:

On behalf of employers and religious institutions in my district, I want to share with you my objection to the disregard for religious and moral beliefs displayed by the Department of Health and Human Services in the new preventive services mandate created under the Patient Protection and Affordable Care Act¹. The new rule will require all health insurance plans to offer contraceptives and abortifacients as free preventive care. While the rule attempts to provide exceptions for 'religious employers', the Department's definition is far too narrow. I urge you to immediately abandon this mandate and rewrite the conscience exemption so that the employers with deeply-held religious beliefs are not forced to violate their faith in order to comply with the law.

Our nation allows individuals of all faiths to practice their beliefs, and this new mandate will force many employers like religious hospitals and universities to violate their moral values and convictions in order to follow the law. To qualify for this exemption Catholic hospitals would be required to treat only patients of the same religious beliefs, and private universities may only hire employees that share the same faith.

As the Most Reverend Donald Zubik, who serves as the Bishop of the Diocese of Pittsburgh, succinctly put it: "This mandate would apply in virtually every instance where the Catholic Church serves as an employer, requiring the Catholic Church to violate its own tenets by forcing Catholic entities to provide contraceptive and sterilization coverage."

While arguing that PPACA will expand access to healthcare, the Department has proposed a rule that will in fact strip it away from thousands of employees across the country. By choosing to stand behind fundamental beliefs and expressing one of America's dearest freedoms, schools, hospitals, charities, and care homes will be conducting an illegal act, and will be forced to pay a large penalty that will all but require them to let go many employees or drop healthcare coverage altogether. This is unacceptable.

¹ Interim rule (76 Fed. Reg. 46621) published on August 3, 2011 by the Department of Health and Human Services in interpretation of section 2713(a)(4) of PL111-148

Further, implementation of this rule runs counter to the President's oft-repeated claim if you like "If you like your health care plan, you can keep your health care plan."² With this latest development, it is clear that simply will not be the case.

Therefore, I ask that the Department discard the preventive services mandate. The Department recognized the need to create an exemption for religious institutions, and I ask that the rule be redrafted to ensure the rights it aims to defend are fully protected.

Sincerely,

A handwritten signature in black ink that reads "Tim Murphy". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Tim Murphy
Member of Congress

² "Why We Need Health Care Reform" *New York Times* oped. President Obama. 15 August 2009.
<http://www.nytimes.com/2009/08/16/opinion/16obama.html?pagewanted=all>