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Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act

Comment On: EBSA-2010-0018-0002

Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services under Patient Protection and Affordable Care Act: Amendment

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General Comment

Dear Sir or Madam: Although your attempted accommodation of religious organizations is commendable, it is so narrow an exception as to constitute a hollow gesture that fails to achieve its goals and threatens to deprive the poor and the needy of services that religious organizations have been providing for many years. It is also a clear violation of the Free Exercise clause of the First Amendment. It is respectfully submitted that the Department should reconsider its position and provide an accommodation exception to religious organizations that is meaningful and will not force them to choose between their religious tenets (promoting the use of artificial contraceptives and abortifacients) and helping those in need.

The interim final rules provide no relief to the myriad of organizations run by church based groups which find the pregnancy prevention services morally bankrupt. Forcing these groups to choose between religious tenets is abhorrent and frankly, disgraceful. The government should be working to protect the legitimate and morally- based tenets of religious organizations from interference from others; not forcing a religious organization to conform to the government's moral determinations at the sacrifice of its own.

Given the extent of service provided by these organizations, HHS should also consider the potential impact in forcing these groups to stop providing many of the services that they now provide. A clear economic impact would result both on the government and on the country, not to speak of the needy. However, this potential impact has not been considered under the relevant Executive Orders, and Regulatory Flexibility Act, and other statutory requirements.

The narrow religious exemption in HHS's clearly violates the Free Exercise clause of the First Amendment. Certainly, there are other means by which these services can be provided to these

employees without violating these tenets.