

PUBLIC SUBMISSION

As of: October 04, 2011
Received: September 27, 2011
Status: Pending_Post
Tracking No. 80f3f250
Comments Due: September 30, 2011
Submission Type: Web

Docket: EBSA-2010-0018

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

Document: EBSA-2010-0018-DRAFT-0360

Comment on FR Doc # 2011-19684

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General Comment

See attached file(s)

Attached is my letter to Congressman James Lankford, 5th District, Oklahoma, regarding our concerns with these regulations and their narrow definition of religious exemptions. We have also submitted identical letters to the entire Oklahoma Congressional delegation. In addition, we are members of the Council for Christian Colleges and Universities who are submitting objections to this portion of the proposed regulations. Please protect our Constitutional rights and take action to use existing law for religious exemptions. Thank you.

Mike E. O'Neal, President
Oklahoma Christian University

Attachments

Lankford, James re HHS Regulations



September 25, 2011

VIA FACSIMILE: 202/226-1463

Representative James Lankford
United States House of Representatives
509 Cannon Office Building
Washington, DC 20515

Re: Department of Health and Human Services
Proposed Regulations, 45 CFR Part 147 RIN 0938-AQ07

Dear Congressman Lankford:

I write to notify you of and request your prompt action to oppose a very troubling new set of regulations that will negatively affect Oklahoma Christian University and most faith-based organizations throughout the United States. I understand that there is a September 30 deadline to express opposition to these regulations.

These new regulations, [45 CFR Part 147 RIN 0938-AQ07](#), promulgated by the Department of Health and Human Services, require all health plans to cover preventative care for women that includes contraceptives, including emergency contraceptives (some of which are abortifacients). The religious exemption they offer is so restrictive that it would basically cover only churches, denominational seminaries, and few others. Specifically, the regulations define a "religious employer" as an organization that:

- "has the inculcation of religious values as its purpose";
- "primarily employs persons who share its religious tenets";
- "primarily serves persons who share its religious tenets"; and
- "is a nonprofit organization as described in section 603(a)(1) and section 603(3)(A)(i) or (iii) of the Internal Revenue Code of 1986, as amended," (referring to "churches, their integrated auxiliaries, and conventions or associations of churches, as well as to the exclusively religious activities of any religious order).

In addition to the implication of these regulations on our employer health plans, we are specifically concerned about the implication of these regulations on our student health plans. Even if the scope of the religious employer exception is changed to include a more expansive group of religious employers, we believe that an exception for employer plans would not include the student plans.

Apart from the religious and theological implications of these regulations, the fact that religious groups are not permitted to act within the scope of their conscience is deeply objectionable, and we believe in violation of the Religious Freedom Restoration Act of 1993 (RFRA) and the Constitution.

DR. MIKE E. O'NEAL
President

Representative James Lankford
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Legislation has been introduced in both the House and Senate to combat these regulations. May I encourage you to co-sponsor this corrective legislation and work to have these regulations withdrawn. The “Respect for Rights of Conscience Act of 2011” has been introduced in the House as **H.R. 1179** by Reps. Jeff Fortenberry (R-NE) and Dan Boren (D-OK) and in the Senate as **S. 1467** by Sens. Roy Blunt (R-MO), Kelly Ayotte (R-NH), and Marco Rubio (R-FL).

Enclosed is a draft letter from the President of the Council for Christian Colleges and Universities to which OC belongs and on whose board I serve as Treasurer. This letter to Secretary Sebelius contains greater detail about the problems with this potential regulation.

This regulation is just one of many recent examples of the excessive and over-reaching and freedom-eroding regulatory environment being put forth by this administration. Thank you for doing all you can do to prevent this from becoming law. Once it becomes law, it will cost religious organizations hundreds of millions of dollars to fight it through the court systems—and I can assure you it must be fought.

Thank you for all you do to strengthen our nation and protect our freedoms. May God bless you in that effort.

With gratitude,

A handwritten signature in blue ink, appearing to read "Mike E. O'Neal".

Mike E. O'Neal
President

Encl: Draft Letter from Paul Corts to Secretary Sebelius