

Supreme Court Rules that For-Profit Employers Can Refuse to Cover Birth Control – Pennsylvania Women's Advocates Cry Foul

June 30, 2014, Philadelphia, PA – Today, in a sharply divided 5-4 ruling, the U.S. Supreme Court ruled that Hobby Lobby and Conestoga Wood Specialties Corp., two for-profit businesses employing thousands of women of diverse faiths, could refuse to include coverage of FDA approved contraceptive methods by invoking the companies' religious opposition to birth control.

"Faced with the choice of protecting the religious exercise rights of thousands of women workers or that of private businesses, the Supreme Court sided with the businesses," said Carol Tracy, Executive Director of the Women's Law Project. "Contraception is an essential part of women's health care, and today's ruling is a dramatic setback to the cause of women's health and economic security."

Kate Michelman, Co-Chair of WomenVote PA stated, "As an advocate for women's equality, I was dismayed to see that the majority took pains to make it clear that today's ruling only applies to health care needed by women."

The Affordable Care Act and its implementing regulations require that all new health insurance plans cover all FDA-approved contraceptive methods without cost-sharing. Hobby Lobby and Conestoga Wood Specialties, for-profit corporations that assert religious objections to certain methods of contraception, claimed that corporations have a right to practice religion, and that this right is being illegally infringed by the contraceptive coverage rule. Today's majority opinion from Associate Justice Samuel Alito did not dispute that the government's interest in ensuring that women had access to contraception was compelling, but held that other means were available to advance that interest. The Court cited the accommodation already established for religious employers and suggested that the cost of coverage could be paid by with public funding.

"We urge HHS to act quickly to fill the coverage gap created by today's ruling," said Susan Frietsche, senior staff attorney in the Women's Law Project's Western Pennsylvania office in Pittsburgh. "In both this case and last week's buffer zone ruling, the Court has shown little concern for the health, safety and rights of America's women," continued Tracy. "They are sadly out of touch with women's experiences, struggles, and needs. It's my hope that these rulings energize every woman and lead to a surge in activism and civic engagement by all supporters of women's equality and gender justice."

About the Women's Law Project and WomenVote PA:

The Women's Law Project is a Pennsylvania-based non-profit women's legal advocacy organization focused on high-impact research, litigation and advocacy. The Women's Law Project has offices in Philadelphia and Pittsburgh. For more information go to www.womenslawproject.org.

WomenVote PA is the non-partisan action arm of the Women's Law Project. For more information go to www.womenvotepa.org