

# PUBLIC SUBMISSION

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**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

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Comment on FR Doc # 2011-19684

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## General Comment

9/22/2011

Dear Colleague:

I am writing to urge you to broaden the definition of “religious employer” to ensure conscience protections that will allow us to continue our health ministry as Catholic employers. For 150 years, Providence has served the underserved residents of the District of Columbia and the surrounding area.

Catholic health care has ensured that everyone has access to health care. For this reason, we welcome the Administration’s decision to require health plans to cover women’s preventive services. However, the inclusion in that mandate of contraceptive services that we find morally objectionable, including sterilization and drugs that could cause an abortion, makes it imperative that the Final Rule include broader conscience protections.

The proposed definition as written is narrower than any conscience clause ever enacted in federal law. As currently written, the definition of religious employer would not consider Catholic health care institutions—including Catholic hospitals and long-term care facilities—religious employers.

How can a Catholic hospital not be a religious employer?

The proposed definition would require us to “primarily serve persons who share our religious tenets.” Our tradition calls us to serve the common good of our nation and its citizens by caring for persons of all ages, races and religions, in a manner consistent with our religious and moral convictions.

Section 414(e) of Title 26 considers whether an organization or institution “shares common religious bonds and convictions with a church” when determining if the organization qualifies as a “religious employer.” This is the statute that should be used as a guide for determining the definition of a religious employer.

Our country has respected the rights of conscience since its founding, and our society's commitment to pluralism lies at the heart of our diverse and vibrant nation.

Matthew R. Lukasiak  
VP, Mission Integration  
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