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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

I wish to express my concern regarding the amendment to the interim final regulation (CMS-992-IFC2) which exempts some religious institutions from providing coverage for contraception as preventive care. This proposed exemption is troubling to me because it is based on a serious misreading of the freedom of religion we hold dear.

Misinterpretation is understandable, given that some groups, including especially the United States Conference of Catholic Bishops, have called what I believe should be an individual choice into what they have termed "an unprecedented attack on religious liberty." I urge you and the Department of Health and Human Services (HHS) to carefully consider the motivations of those who oppose this guideline in conjunction with your motivations, which would appear to be to enhance the public good.

The HHS decision to include full coverage for contraception services and counseling as preventive services is the result of sound judgment about what is good for all society. Allowing certain faith-based

organizations to avoid this statute is, in fact, promoting the private interests of one religion—or even one conservative element of that religion—over the consciences of employees. This does not further their special mission to help the common good.

The inclusion of family planning as preventive health care requires no one to use it or to endorse it.

Nor does it infer that its use is or is not morally legitimate. This guideline involves no restriction on anybody's freedom, religious or otherwise. Indeed, it could be argued that it allows greater freedom.

Religious freedom is an expansive rather than restrictive idea. It is not about telling people what they can and cannot believe or practice, but rather giving people the space to follow their own conscience in what they believe or practice. The protections extend to one's personal religious beliefs and practices, but they must not give license to obstruct or coerce the exercise of another's freedom.