

ISSUE FOCUS: Contraceptive Access**Speak Out for Birth Control Coverage under the Affordable Care Act (ACA)**

BACKGROUND: Under the Affordable Care Act (ACA), in 2012, the US Department of Health and Human Services (HHS) expanded women’s access to preventive health care, including birth control, without any out-of-pocket costs in most insurance plans. HHS exempts some religious employers, essentially houses of worship, from this requirement. For faith-affiliated institutions, i.e. universities or hospitals, which object to offering this coverage, HHS devised an accommodation policy requiring insurance plans to work directly with women to provide contraceptive coverage at no added cost. **Under the ACA, millions of women have gained access to affordable birth control and can follow their own moral beliefs when making decisions about their body, health, and family.**

In *Burwell v. Hobby Lobby* (*Hobby Lobby*), the US Supreme Court ruled in June 2014 on two cases brought by private, for-profit businesses: the Hobby Lobby arts and crafts chain and Conestoga Wood Specialties Corporation. These secular institutions sought to assert a religious objection to deny women (workers and their dependents) access to contraceptive coverage — forcing them to abide by their boss’ religious beliefs. The Court unjustly decided that “closely-held” corporations may refuse to provide this benefit. While the birth control benefit remains in place, *Hobby Lobby* opened the door for private companies to deny women contraceptive access, eroding women’s religious and reproductive freedoms and risking their health and economic security. The ruling’s impact falls hardest on women of color, young women, and low-wage women, among others who already face barriers to health care.

Congress proposed a bill to fix the ruling; NCJW supports the [Protect Women’s Health from Corporate Interference Act of 2014](#) (S 2578/HR 5051), which has yet to pass. The Obama administration also [proposed regulations](#) in light of *Hobby Lobby* to ease the ruling’s harmful impact on women. NCJW supports the administration’s efforts to protect access to the birth control benefit, but believes Congress must act to fix this ruling.

TAKE ACTION TODAY! Speak out in the media to urge lawmakers to fix the damage done by *Hobby Lobby*, and to educate the public. Tips for placing an op-ed or letter to the editor are available online: bit.ly/NCJWOP-EDtips and bit.ly/NCJWLTEtips. Use some of the below talking points, and for more background, see the resources linked above. After you submit your letter or op-ed, send a copy to your lawmakers and the NCJW office.

- ▶ The Supreme Court made the wrong decision in *Hobby Lobby*. As a [person of faith], I believe every woman has the right to make her own decisions about her health — based on her own religious or moral beliefs — *not* based on what her boss believes.
- ▶ Congress should pass the “Protect Women’s Health from Corporate Interference Act,” which would begin to restore birth control access and workers’ religious liberty, both of which remain threatened by the *Hobby Lobby* ruling.
- ▶ A person’s boss must not be permitted to impose their personal religious values on their workers. The Supreme Court wrongly allows this under the *Hobby Lobby* ruling.
- ▶ Insurance plans should cover contraception without co-pays because it helps women access contraception, no matter her income.
- ▶ The *Hobby Lobby* ruling is an example of why courts matter. Federal judges are appointed for life. We must support judicial nominees who believe in constitutional principles that protect every woman’s right to make her own moral decisions.
- ▶ Everyone deserves the ability to access health care without risking other basic needs. Low-income women and women of color in particular face barriers to accessing birth control due to cost. The *Hobby Lobby* ruling disproportionately threatens their health and security, jeopardizing their access to this preventive health care.
- ▶ Birth control is basic health care. Thanks to the Affordable Care Act, over 27 million more women can now afford it through their insurance, to make their own moral decisions about their health and family. The *Hobby Lobby* ruling wrongly jeopardizes this benefit.

Questions? Contact Amy Cotton, NCJW Senior Policy Manager, at amy@ncjwdc.org.