

The History of the HHS Mandate Cases

Beginning in 2011, the federal government tried to force religious non-profits and family businesses to provide services in their employee health plans against their religious beliefs. What followed were dozens of lawsuits, more than ten mandate changes and multiple Supreme Court cases. In November 2018, the government issued a final rule that exempts religious groups like the Little Sisters of the Poor, who can once again focus on serving the elderly poor.



2011

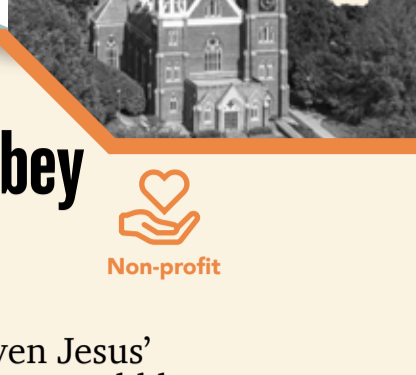
August 3 HHS Rule #1

The Department of Health and Human Services issues its first rule on the mandate, forcing all non-profit and for-profit organizations to comply or face crippling fines.

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1st Case



November 10 Belmont Abbey Sues HHS

Non-profit

“Not even Jesus’ ministry would have qualified for this exemption.”

-Lori Windham
Senior Counsel, Becket

2012

February 15 HHS Rule #2

Message from HHS to religious ministries: We won’t budge.

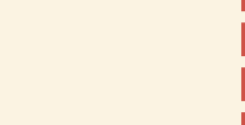
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August 15 HHS Rule #4

HHS broadens the “Safe Harbor” to include religious non-profits like Wheaton College. In other words: The government is still buying time.

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March 16 HHS Rule #3

HHS admits the original exemption was too narrow, promises to create some kind of “accommodation.”

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September 12 Hobby Lobby Sues

Family Business

“We simply cannot abandon our religious beliefs to comply with this mandate.”

-David Green
CEO, Hobby Lobby

2013

February 1 HHS Rule #5

The Little Sisters of the Poor, an order of Catholic nuns, considered not “religious” enough for an accommodation by the government.

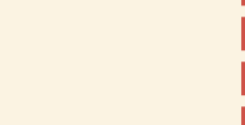
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July 2 HHS Rule #7

New “accommodation” ignores religious organizations using church-operated benefit plans.

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June 28 HHS Rule #6

HHS extends “Safe Harbor” for another six months (now totaling two years).

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September 24 Little Sisters of the Poor Get Involved

Non-profit

“We cannot violate our vows by participating in the government’s program.”

-Mother Loraine
Mother Provincial
Little Sisters of the Poor

U.S. Supreme Court



December 31 Supreme Court Gives Emergency Protection to Little Sisters

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2014

U.S. Supreme Court



January 24 Supreme Court Grants Injunction for Little Sisters

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U.S. Supreme Court



June 30 Hobby Lobby Wins at SCOTUS

Family Business

The Supreme Court recognizes that Americans do not lose their religious freedom when they run a family business.

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August 27 HHS Rule #8

A new way for religious organizations to sign control of their health plans over to the HHS.

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2015

U.S. Supreme Court



March 9 Supreme Court Vacates Lower Court Decisions Against University of Notre Dame

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U.S. Supreme Court



April 15 Supreme Court Grants Injunction for Zubik

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July 14 HHS Rule #9

Closely-held businesses can take advantage of accommodation a year after Hobby Lobby ruling.

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November 6 Supreme Court Agrees to Hear Sisters’ Case

“All we ask is that our rights not be taken away.”

-Mother Loraine
Mother Provincial
Little Sisters of the Poor

2016

U.S. Supreme Court



May 16 Unanimous Supreme Court Win for Little Sisters

Non-profit

Supreme Court per curiam opinion orders government to: “Arrive at an approach going forward that accommodates petitioners’ religious exercise.”

1 2 3 4 5 6 7 8

May 4 White House Protects Little Sisters



April 12 Obama administration admits mandate was unnecessary:

Tells Supreme Court mandate “could be modified to operate” without demanding signatures from the religious groups “while still ensuring that the affected women receive contraceptive coverage seamlessly, together with the rest of their health coverage.”

2017

October 6 HHS Rule #10

In an interim rule, the government admits that it was unlawful to penalize religious groups and issues an exemption that protects religious ministries.

1 2 3 4 5 6 7 8 9 10

2018

June 29 Little Sisters Win Final Injunction

“It was always ridiculous to claim you need nuns to give out contraceptives.”

-Mark Rienzi
President, Becket

“The Little Sisters came to this country 150 years ago this September to serve the neediest among us as if they were Christ himself. Today, we are so grateful that the federal government has provided a way for us to continue to serve the elderly poor and stay true to our Catholic faith. We pray that lawsuits by the state governments that attempt to prevent this will soon be over and that we can finally serve the elderly poor in peace.”

-Mother Loraine
Mother Provincial
Little Sisters of the Poor

