

# origins

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## Supreme Court Decision in Little Sisters Case

Justice Thomas

*In a 7-2 decision July 8, the Supreme Court upheld regulations by the Trump administration giving employers more ability to opt out of providing contraceptive coverage in their health plans. The decision, written by Justice Clarence Thomas, said the administration had “the authority to provide exemptions from the regulatory contraceptive requirements for employers with religious and conscientious objections.” Dissenting votes were by Justices Ruth Bader Ginsburg and Sonia Sotomayor. The case examined if the expansion of the conscience exemption from the Affordable Care Act’s contraceptive mandate violated the health care law and laws govern-*

*“The only question we face today is what the plain language of the statute authorizes.”*

*ing federal administrative agencies. It highlighted — as it has before when the Affordable Care Act’s contraceptive mandate has come before the high court — the Little Sisters of the Poor, the order of women religious who care for the elderly poor. The sisters were represented, as they have been previously, by Becket, a religious liberty law firm. The case before the court combined Little Sisters of the Poor Saints Peter and Paul Home v. Pennsylvania and Trump v. Pennsylvania. The sisters’ involvement in this case goes back to 2013 when religious groups and houses of worship were granted a religious exemption by the Supreme Court from the government’s mandate to include contraceptive coverage in their employee health plans. The decision follows.*

**J**ustice Thomas delivered the opinion of the court.

In these consolidated cases, we decide whether the government created lawful exemptions from a regulatory requirement implementing the Patient Protection and Affordable Care Act of 2010 (Affordable Care Act), 124 Stat. 119. The requirement at issue obligates certain employers to provide contraceptive coverage to their employees through their group health plans. Though contraceptive coverage is not required by (or even mentioned in) the Affordable Care Act provision at issue, the government mandated such coverage by promulgating interim final rules shortly after the Affordable Care Act’s passage. This

*continued on page 238*



### contents

- 237 Supreme Court Decision in Little Sisters Case  
*by Justice Clarence Thomas*
- 247 Baptisms That Used a Modified Formula Are Not Valid  
*by the Congregation for the Doctrine of the Faith*
- 249 Letter on Invalidity of Priest’s Baptism  
*by Archbishop Allen H. Vigneron*
- 250 Letter to People of Diocese of Wheeling-Charleston, West Virginia  
*by Bishop Michael J. Bransfield*
- 251 Statement on Bishop Bransfield  
*by Bishop Mark E. Brennan*
- 252 Datebook
- 252 On File

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