

The *Foothill Church* Case

Case Name: *Foothill Church v. Rouillard*

Significance: Whether the state can force churches to violate their religious beliefs by covering elective abortion in their health plans.



Background: On April 4, 2019, three churches filed a notice of appeal in their lawsuit challenging the California Department of Managed Health Care's mandate that forces churches to pay for elective abortions in their health plans. As revealed in e-mails that Alliance Defending Freedom attorneys who represent the churches discovered, the agency issued its mandate in response to specific demands from Planned Parenthood. Those demands asked agency officials to implement a "fix" requiring the health plans of religious organizations to include coverage for abortion, regardless of moral or conscientious objections and despite state recognition up to that point that religious groups shouldn't be subject to such requirements. The abortion giant threatened to promote its own legislative "solution" if the administrative agency didn't act, so DMHC issued its mandate in 2014. In 2014, ADF and Life Legal Defense Foundation filed formal complaints with the U.S. Department of Health and Human Services against DMHC regarding its mandate and its violation of federal conscience law. Those came on the heels of a complaint filed directly with DMHC, which responded by affirming its decision to force all plans to cover all abortions without any explanation as to how that decision squares with the Constitution and contrasting federal law.

Key Points

- Churches should be free to peacefully operate according to their faith. They cannot do that if the government is forcing them to violate their faith.
- The State of California is forcing these churches to violate their beliefs, at the request of an ideologically driven abortion corporation.
- The Constitution protects churches from being silenced or punished by the government for adhering to biblical teachings.

Key Facts

- The state issued this mandate in response to specific demands from Planned Parenthood.
- Federal law protects Americans' rights to decline to participate in abortion.
- No state agency has the right to force a church or anyone else to violate their deeply held beliefs by paying for abortion.
- Unelected bureaucrats are bending over backwards to please Planned Parenthood even though it has meant forcing churches to violate their deeply held beliefs about the sanctity of life by paying for abortions.
- This bullying is a new low, and it violates the Free Exercise Clause by targeting the churches' exercise of religion.

The Bottom Line: Churches have the constitutional right to operate according to their religious beliefs. The government has no business forcing churches to violate those beliefs.