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Jun. 30, 2014

The U.S. Supreme Court dealt a blow to the Obama administration's signature health care law Monday, ruling that employers with religious objections can refuse to pay for contraception for their employees in twin cases brought by a Lancaster County cabinet manufacturer and one of the nation's largest craft supply chains.

In their 5-4 decision, the justices recognized for the first time that for-profit business such as East Earl, Pa.-based Conestoga Wood Specialties, owned by a Mennonite family, can hold religious views derived from their owners under federal law.

But, in writing for the court's majority, Justice Samuel A. Alito Jr. stressed several qualifications to that ruling, including that it only applied to corporations under the control of a handful of people and those in which there is no distinguishable difference between those owners and their business.

Alito also cautioned that the court's opinion should not be misinterpreted as opening the door to other objections to the law on religious grounds.

"Our decision should not be understood to hold that an insurance-coverage mandate must necessarily fall if it conflicts with an employer's religious beliefs," he wrote.

Monday's decision, is likely to affect dozens of similar suits brought by both for-profit small business owners who have challenged the requirement and religiously oriented nonprofits, many of whom have sued saying their insurance coverage comes directly through their affiliated churches.

Though it focused on one small portion of the Affordable Care Act, the provision at

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and upheld by the U.S. Court of Appeals for the Third Circuit last year, the business owned by the Mennonite Hahn family, specifically objected to emergency contraceptives such as Plan B and ella.

In its rejection of the company's claims issued in July, the Third Circuit differentiated between a company and its owners, saying for-profit corporations are inherently secular and “cannot engage in religious exercise.”

That opinion, however, split with the Tenth Circuit court, which sided with Hobby Lobby, in its case argued along similar lines.

In its opinion Monday, the High Court's majority wrote that the mandate on for-profit businesses was not the least restrictive means of accomplishing the government goal of ensuring access to no-cost contraception and specifically referenced one of the central questions in the cases raised by nonprofits also challenging the mandate.

Last year, the Obama administration engineered a compromise with nonprofits, hospitals and universities who derive their health care coverage from churches or other religious organizations, allowing them to opt out of paying for birth control themselves. However, their third-party insurers could be required to pickup that tab and later apply to the federal government for reimbursement.

Justices cited that model on Monday as a less restrictive means which the administration could potentially use to handle for-profit religious objectors, as well.

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