

Justices refuse challenge to Obamacare

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WASHINGTON (ABP)—A week after agreeing to decide whether mandated contraception coverage in the Affordable Care Act is constitutional, the U.S. Supreme Court turned down a broader challenge raised by [Liberty University](#).

Justices [decided](#) without comment to leave standing a federal court ruling in July dismissing various challenges to the controversial law also known as Obamacare. Plaintiffs included Liberty University, a Christian school in Lynchburg, Va., founded by the late Jerry Falwell.



Mat Staver, vice president at Liberty University. In addition to objections to required coverage of FDA-approved forms of contraception raised in a lawsuit by the Southern Baptist owners of Hobby Lobby that the Supreme Court [accepted](#) Nov. 26, lawyers for Liberty argued that Congress overstepped its bounds in passing a law that requires employers to purchase a product they do not want.

The 4th U.S. Circuit Court of Appeals disagreed in a July 11 [decision](#) finding mandated coverage a “valid exercise of Congress’ authority under the Commerce Clause” similar to laws banning discrimination and setting a minimum wage.

Liberty lawyers also claimed the law might require employers to facilitate or subsidize surgical abortion, violating their religious liberty. The appeals court said the First Amendment does not exempt religious practices from a “valid and neutral law of general applicability.”

“The high court has decided to take up the HHS contraception and abortion drug mandate, but it is not ready yet to tackle the entire employer mandate,” said [Mat Staver](#), founder and chairman of Liberty Counsel. “That challenge will wait for another day.”

Staver, a vice president at Liberty University and dean of the law school, said deciding the case “would have highlighted the absurdity” of the Supreme Court’s 5-4 ruling in 2012 [upholding](#) the individual mandate as a tax.

“Apparently, the court was not willing right now to venture back into that morass,” Staver said. “We will wait on the court’s ruling next year to decide whether to file a new challenge.”