

Zubik v. Burwell and public health at a glance



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What did the Supreme Court decide?

The Supreme Court did not decide any of the legal issues in the case. Instead, it suggested an alternative accommodation and asked if it would be acceptable to the nonpro t organizations and the government. The alternative accommodation the Supreme Court suggested was for religiously affiliated nonpro t organizations to let their insurance companies know that they do not want contraceptive coverage included in their insurance policies. Unlike the current accommodation the federal government offers, the religious nonpro ts would not have to complete a form or put anything in writing. The insurance company would then provide contraceptive coverage without funding from the nonpro t organization. Only religious nonpro t organizations qualify for the Supreme Court s alternative accommodation and the accommodation currently offered by the federal government. The federal government and the nonpro t organizations agreed that the alternative accommodation would be acceptable. The Supreme Court then sent the cases back to the lower courts with instructions to give the government and nonpro t organizations an opportunity to develop the details of the alternative accommodation in a way that would provide full contraceptive coverage to the nonpro ts employees. Because the Supreme Court did not decide the legal issues in the case, however, it is possible that other religiously affiliated nonpro t organizations could challenge the results of *Zubik v. Burwell*.