

(ORDER LIST: 577 U. S.)

TUESDAY, MARCH 29, 2016

ORDER

14-1418 ZUBIK, DAVID A. ET AL. V. BURWELL, SEC. OF H&HS, ET AL.  
14-1453 PRIESTS FOR LIFE, ET AL. V. DEPT. OF H&HS, ET AL.  
14-1505 ROMAN CATHOLIC ARCHBISHOP V. BURWELL, SEC. OF H&HS, ET AL.  
15-35 E. TX BAPTIST UNIV., ET AL. V. BURWELL, SEC. OF H&HS  
15-105 LITTLE SISTERS, ET AL. V. BURWELL, SEC. OF H&HS, ET AL.  
15-119 SOUTHERN NAZARENE UNIV., ET AL. V. BURWELL, SEC. OF H&HS, ET AL.  
15-191 GENEVA COLLEGE V. BURWELL, SEC. OF H&HS, ET AL.

The parties are directed to file supplemental briefs that address whether and how contraceptive coverage may be obtained by petitioners' employees through petitioners' insurance companies, but in a way that does not require any involvement of petitioners beyond their own decision to provide health insurance without contraceptive coverage to their employees.

Petitioners with insured plans are currently required to submit a form either to their insurer or to the Federal Government (naming petitioners' insurance company), stating that petitioners object on religious grounds to providing contraceptive coverage. The parties are directed to address whether contraceptive coverage could be provided to petitioners' employees, through petitioners' insurance companies, without any such notice from petitioners.

For example, the parties should consider a situation in which petitioners would contract to provide health insurance for their employees, and in the course of obtaining such insurance,

inform their insurance company that they do not want their health plan to include contraceptive coverage of the type to which they object on religious grounds. Petitioners would have no legal obligation to provide such contraceptive coverage, would not pay for such coverage, and would not be required to submit any separate notice to their insurer, to the Federal Government, or to their employees. At the same time, petitioners' insurance company—aware that petitioners are not providing certain contraceptive coverage on religious grounds—would separately notify petitioners' employees that the insurance company will provide cost-free contraceptive coverage, and that such coverage is not paid for by petitioners and is not provided through petitioners' health plan.

The parties may address other proposals along similar lines, avoiding repetition of discussion in prior briefing.

The briefs, limited to a single brief 25 pages in length for petitioners, and a single brief 20 pages in length for respondents, are to be filed simultaneously with the Clerk and served upon counsel for the other parties on or before April 12, 2016. Reply briefs, limited to a single brief 10 pages in length for petitioners and for respondents, are to be filed simultaneously with the Clerk and served upon opposing counsel for the other parties on or before April 20, 2016.