

Preliminary Injunction Granted Against Enforcement of Contraception Mandate

August 9, 2012

The U.S. District Court for Colorado granted a preliminary injunction which prevents the federal government from enforcing the Patient Protection and Affordable Care Act's (PPACA) contraception mandate against one family-owned business. The judge found that the threatened harms to the family and its business, impingement of their right to freely exercise their religious beliefs and the corresponding public interest in that right, strongly favored injunctive relief. The judge found that the family's and business's challenge under the Religious Freedom Restoration Act (RFRA) involved questions so serious, substantial, difficult, and doubtful as to make the issue ripe for litigation and deserving of more deliberate investigation, which satisfied the standard for granting an injunction. Generally, the RFRA prevents the government from substantially burdening a person's exercise of religion unless there is a compelling governmental interest and it is the least restrictive means of furthering that interest. The government failed to demonstrate why the mandate in PPACA was the least restrictive means by failing to adequately refute the family's proposed alternative of the government providing free contraception to women. *Newland v. Sebelius*, No. 1:12-cv-1123-JLK (D. Colo. July 27, 2012).