



DEPARTMENT OF THE ATTORNEY GENERAL

**News Release**

**NEIL ABERCROMBIE**  
GOVERNOR

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DAVID M. LOUIE  
ATTORNEY GENERAL  
Phone: (808) 586-1500

RUSSELL A. SUZUKI  
FIRST DEPUTY ATTORNEY GENERAL

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**Hawaii Joins States Defending Affordable Care Act**

HONOLULU – Attorney General David M. Louie joined 14 states and the District of Columbia in signing an *amicus curiae* brief filed in the U.S. Supreme Court asking the court to strike down a lower court’s ruling that would allow for-profit companies to deny essential healthcare to female employees based on the religious beliefs of the company’s owners.

The friend-of-the-court brief, co-authored by California Attorney General Kamala Harris and Massachusetts Attorney General Martha Coakley, urges the Court to overturn a ruling in Kathleen Sebelius v. Hobby Lobby Stores, Inc., in which the U.S. Court of Appeals for the Tenth Circuit held that the Religious Freedom Restoration Act of 1993 applies to for-profit businesses and the businesses can claim religious exemptions from the requirements of the Affordable Care Act (ACA). The ruling means a for-profit company could deny women coverage for contraception, which is covered by health plans under the ACA as a critical preventive service.

Additionally, the brief urges the Court to affirm the U.S. Court of Appeals for the Third Circuit’s ruling in a companion case, Conestoga Wood Specialties Corp. v. Kathleen Sebelius, that came to the opposite conclusion of the Tenth Circuit court, and held that for-profit companies could not claim religious exemptions from the ACA coverage requirement.

“Measures adopted by States, and now the federal government, to expand affordable access to contraceptives through health plan coverage provisions are narrowly tailored to further compelling public interests in promoting gender equity and achieving significant health, social, and economic benefits,” the brief states.

“An employer should not be allowed to restrict access to essential services, including contraception, because of the religious views of the employer,” Attorney General Louie said, “particularly when the right to these services is protected under federal law.”

A copy of the brief can be found at

<http://ag.hawaii.gov/wp-content/uploads/2014/01/News-Release-2014-05a.pdf>

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For more information, contact:

Anne Lopez  
Special Assistant to the Attorney General  
(808) 586-1284  
Anne.E.Lopez@hawaii.gov  
<http://ag.hawaii.gov/>