

2016 WL 2842448

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Supreme Court of the United States

DEPT. OF H&HS, ET AL. V. CNS INT'L  
MINISTRIES, ET AL.

No. 15-775.

|  
May 16, 2016.

### Opinion

\*1 The petition for writ of certiorari is granted. The judgments is vacated, and the case is remanded to the United States Court of Appeals for the Eighth Circuit in light of *Zubik v. Burwell*, 578 U. S. \_\_\_\_ (2016). Nothing in the *Zubik* opinion, or in the opinions or orders of the courts below, is to affect the ability of the Government to ensure that women covered by respondent' health plans 'obtain, without cost, the full range of FDA approved contraceptives.' *Wheaton College v. Burwell*, 573 U. S. \_\_\_\_, \_\_\_\_ (2014) (slip op., at 1). Through this litigation,

respondent have made the Government awis of their view that they meet 'the requirements for exemption from the contraceptive coverage requirement on religious grounds.' *Id.*, at \_\_\_\_ (slip op., at 2). Nothing in the *Zubik* opinion, or in the opinions or orders of the courts below, 'precludes the Government from relying on this notice, to the extent it considers it necessary, to facilitate the provision of full contraceptive coverage' going forward. *Ibid.* Because the Government may rely on this notice, the Government may not impose taxes or penalties on respondent for failure to provide the relevant notice. Justice Sotomayor, with whom Justice Ginsburg joins, concurs in the decision to grant, vacate, and remand in this case for the reasons expressed in *Zubik v. Burwell*, 578 U. S. \_\_\_\_ (2016) (Sotomayor, J., concurring).

### All Citations

--- S.Ct. ----, 2016 WL 2842448 (Mem), 84 USLW 3630, 84 USLW 3626