

FOR IMMEDIATE RELEASE

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**COUPLE BELIEVED TO BE FIRST IN NATION TO TAKE LEGAL ACTION TO  
SECURE SAME-SEX SPOUSAL BENEFITS FROM A FAITH-BASED  
EMPLOYER AFTER SUPREME COURT'S RULING**

*Action affects up to 30,000 employees*

**Beaumont, TX–September 2, 2015** – Kaplan Law Firm, PLLC and O’Connell & Soifer LLP are pleased to announce that pursuant to legal action taken by their clients, CHRISTUS Health has agreed to change its health benefits plan so that coverage will now extend to all legally married couples, including same-sex couples. CHRISTUS is a Catholic non-profit health system that includes more than 60 hospitals and long-term care facilities, primarily in Texas and Louisiana. This is believed to be the first time since the Supreme Court’s same-sex marriage decision that a same-sex couple has taken legal action and secured healthcare benefits from a faith-based employer.

On July 10, 2015, CHRISTUS Hospital – St. Elizabeth employee Jordan Roberts married Evan Hatch in Beaumont, Texas. A few days later, Jordan sought to add Evan to his CHRISTUS Health plan as his spouse, but was told by a CHRISTUS representative that he could not do so because CHRISTUS did not recognize same-sex marriages. Jordan [contacted a local news station](#), which requested a response from CHRISTUS. The spokesperson for CHRISTUS explained that CHRISTUS had a separate option for employees in same-sex relationships to add “Legally Domiciled Dependents” (LDD) who met specific eligibility requirements to their benefits plan. Jordan and Evan discovered that once they became legally married, they could not meet the LDD eligibility requirements, and therefore could not get spousal coverage. CHRISTUS’s benefits plan treated heterosexual married couples differently than same-sex married couples, denying same-sex married couples equal benefits.

Jordan retained Kaplan Law Firm and O’Connell & Soifer and filed a Charge of Discrimination with the Equal Employment Opportunity Commission (EEOC) against CHRISTUS, notifying CHRISTUS that its benefits policy did not comply with the law. Almost immediately after CHRISTUS received notice of legal action, it began work to change its policies to comply with the law.

Starting on September 14, 2015, CHRISTUS will for the first time provide benefits to all legally married couples regardless of gender or sexual orientation. CHRISTUS employees will have until October 14, 2015 to enroll their same-sex spouses. Additionally, same-sex spousal benefits will be retroactive to as early as June 26, 2015, the date of the Supreme Court’s same-sex marriage opinion. This plan change affects all 30,000 CHRISTUS employees.

**Austin Kaplan, counsel for Plaintiffs:**

*“The law is clear—same-sex couples are constitutionally entitled to the same rights as all other married couples. Additionally, Title VII of the Civil Rights Act of 1964 has long provided that it is illegal for an employer to treat its employees differently on the basis of their gender. Combined, this means that it is unquestionably illegal for employers to deny benefits to married couples consisting of either two men or two women if it provides such benefits to heterosexual married couples.*

*We are pleased that CHRISTUS Health recognized and addressed the requirements of the law and changed its policies so that same-sex couples will now receive equal benefits. This result represents another victory in the application of the Supreme Court’s same-sex marriage decision, and in the fight for equal treatment under the law for same-sex couples everywhere.*

*This case should serve as a reminder to all private employers, including faith-based health care providers and other private institutions with religious affiliations, to review all policies and all benefits plans to ensure that those policies do not discriminate against same-sex couples.”*

**Jan Soifer, counsel for Plaintiffs:**

*“CHRISTUS Health states that it has long recognized the importance of diversity and inclusion, and we are pleased that, consistent with that statement and as a result of our clients’ action, CHRISTUS Health has moved to treat same-sex married couples just like all other married couples. With today’s action, CHRISTUS Health has added meaning to the statement on its website that it “recognize[s] the worth of each unique human being, and respect[s] personal differences because they strengthen us collectively.”*

*In its Obergefell decision, the U.S. Supreme Court concluded that “the right to marry is a fundamental right inherent in the liberty of the person, and under the Due Process and Equal Protection Clauses of the Fourteenth Amendment couples of the same sex may not be deprived of that right and that liberty.” This decision invalidated all state laws that exclude same-sex couples from civil marriage on the same terms and conditions as opposite-sex couples.*

*In changing its policies to treat all married couples the same in the provision of employment benefits, CHRISTUS Health has acknowledged that same-sex married couples have the right to be treated equally with all other married couples. This is an important step forward for CHRISTUS Health and its 30,000 employees and an important example of inclusion, and we are proud of our clients for having influenced this change.”*

**Jordan Roberts, Charging Party:**

*“As a health care professional, I know how important it is to have health insurance. Evan and I are thrilled that he can now join my health plan, just like any other married couple. After we were married, I only had 30 days to add Evan to my policy, but was told I couldn’t add him. The quick actions of our lawyers changed all that. We want to thank our lawyers for encouraging CHRISTUS to change its policies, something it had not agreed to do before the lawyers took action. We also want to thank CHRISTUS for its commitment to equal rights. We are grateful for the opportunity to be the first same-sex couple to be covered as spouses by the CHRISTUS plan in Texas.”*

Kaplan Law Firm, PLLC and O’Connell & Soifer LLP also [recently represented Jim Cato and Joe Stapleton](#) in their successful federal lawsuit to secure their same-sex marriage license from the County Clerk of Hood County, Texas.

Kaplan Law Firm, PLLC ([www.kaplanlawatx.com](http://www.kaplanlawatx.com)) is an employment and civil rights law firm, located in Austin, Texas. O’Connell & Soifer LLP ([www.oconnellsoifer.com](http://www.oconnellsoifer.com)) is an Austin-based boutique law firm that focuses its nationwide practice on anti-fraud litigation and other high-impact public interest litigation.

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