

BOP medical benefits for same-gender spouses

Item(s): 18-01 from Boston with concurrence from New Brunswick
18-06 from New Castle

GA Committee Assignment: 18-Board of Pensions

Summary of the Business and what it wants the Assembly to do:

Direct the Board of Pensions that “upon application by a member, the Board of Pensions shall enroll as a dependent a same-gender spouse, a partner joined in a civil union, or a domestic partner—and their dependent children...and adopt policies and definitions that do not penalize couples according to their state of residence.”

Background:

The 2004 GA asked the BOP to conduct a benefits feasibility study. It responded in the 2006 Minutes Part 1, pp. 25, 1013).

Also, the 218th GA (2008) emphasized the elimination of discrimination against same-gender couples. (See rationales for 18-01 and /108.)

Analysis of the business and its effect on the Church:

- 1) The overtures would require every church with an installed pastor to participate in coverage for partners of church personnel engaged in same-sex relationships, regardless of the church’s own moral convictions. Participation in the Pension/Medical Plan is mandatory for installed clergy: “The call shall include participation in the Benefits Plan of the Presbyterian Church (U.S.A.), including both pension and medical coverage...” G-14.0534. Therefore, every PCUSA congregation, through its mandatory contribution to the Pension/Medical plan, would be contributing to the health insurance and pension coverage of same-sex “spouses” or “domestic partners” and their children for church employees working anywhere in the PCUSA. The Board of Pensions estimated in 2006 that it would raise the cost of every congregation’s share of support to the Pension/Medical Plan by 1% to 32% of the installed pastor’s salary.
- 2) The BOP would be required to cover those defined by the overtures who are “married” in one state but living in a state that does not recognize same-sex marriage.
- 3) G-6.0106b specifically excludes anyone from ordination/installation who is not either faithful in the marriage of a man and a woman or celibate in singleness. The church’s standards of sexual morality apply only to those who are ordained. However, the overtures assume the moral acceptance of same-sex relationships by church employees, thus creating a double standard that is at odds with Scripture and the Church’s confessions.
- 4) Domestic partners were defined by the BOP’s feasibility study as those in a “long-term committed relationship.” The evidence of a “long-term committed relationship,” however, is difficult to determine. The BOP has said it exists when “the couple has made an express commitment to each other that is equivalent to the promises made by a couple in a civil marriage ceremony if such ceremony were permitted by law.... Such a commitment is demonstrated if the couple

- Is cohabiting (unless employment or a medical reason necessitates a separate living arrangement);
- Has agreed to accept financial responsibility for each other's living expense, and
- Is holding itself out to the public as having made such a commitment...having obtained legal recognition where permitted." [Since some regulations are on the local level, the BOP would have an enormous task to determine if the partners pursued "legal recognition where permitted."]

Pertinent Resources

The Book of Order (both G and W sections)

The Book of Confessions (The Heidelberg Catechism, The Second Helvetic Confession, The Westminster Standards, The Theological Declaration of Barmen)

Minority Report from the Special Committee on Marriage and Civil Union

"In Defense of Marriage," by Alan Wisdom (in the Jan/Feb and Mar/Apr 2010 issues of *Theology Matters*)

Action by GA that will help the Church

Disapprove