

For More Info, Contact:
Alissa Crispino or Allison Miller
American Cancer Society Cancer Action Network
Email: Alissa.Crispino@cancer.org or Allison.Miller@cancer.org
Phone: 202-661-5772 or 202-585-3241

17 Patient Groups Urge Appeals Court to Uphold Health Care Law

Loss of Patient Protections Would Raise Barriers to Health Insurance

Washington, D.C., April 1, 2019—Seventeen patient groups representing millions of Americans with pre-existing conditions filed an *amicus curiae* (“friend-of-the-court”) brief today in the U.S. Court of Appeals for the Fifth Circuit in the case *Texas v. United States*, citing the devastating impact patients would face should the court uphold the District Court ruling to invalidate the Affordable Care Act (ACA).

The case is pending before the Fifth Circuit after District Court Judge Reed O’Connor ruled in favor of plaintiffs who argued the entire health care law should be struck down because Congress repealed the individual mandate’s tax penalty. Twenty states led by the Texas Attorney General filed the suit challenging the health care law.

The patient groups argue the law was intended to help protect patients with pre-existing conditions, and Congress’s inaction to repeal or replace the ACA reinforces that intent.

Following is the groups’ joint statement:

“The critical patient protections in the Affordable Care Act (ACA) provide an essential lifeline for millions of Americans who suffer from serious, acute and chronic health conditions. Their ability to access affordable, meaningful health insurance is critical to their health and wellbeing.

“The lower court’s decision to invalidate the entire health care law threatens to resurrect barriers to health care for anyone with a pre-existing condition and could result in coverage being denied outright. Health plans would no longer be required to offer essential benefits necessary to prevent and treat a serious condition, and they could once again impose arbitrary annual and lifetime limits on coverage. Invalidating the law also would jeopardize the federal tax credits that make health insurance affordable for more than [8 million](#) Americans, threatening their access to critical health coverage.

“The ACA was intended to improve access to and increase the number of Americans with quality health care coverage. Since the law went into effect, millions more Americans nationwide are insured with higher quality health insurance than before the law was passed. Because of the ACA, there is already a small but statistically significant shift toward early-stage diagnosis for colorectal, lung, breast and pancreatic cancer in states that have increased access to health care through Medicaid. Additionally, in states that expanded Medicaid under the ACA the uninsured share of substance abuse disorder or mental health disorder hospitalizations fell roughly 15 percent from late 2013 to 2015.

“Undoing the patient protections in the law would ignore the will of Congress at the expense of 27 million Americans who would lose their health care by 2020, according to the nonpartisan Congressional Budget Office. We urge the appeals court to respect the will of Congress, overturn the lower court’s ruling and preserve health care for millions of Americans.”

For a copy of the brief, visit: <https://bit.ly/2FMQwmv>

The groups on the brief include the American Cancer Society, American Cancer Society Cancer Action Network, American Diabetes Association, American Heart Association, American Lung Association, Crohn's & Colitis Foundation, Cystic Fibrosis Foundation, Epilepsy Foundation, Global Healthy Living Foundation, Hemophilia Federation of America, Leukemia & Lymphoma Society, March of Dimes, National Alliance on Mental Illness, National Coalition for Cancer Survivorship, National Hemophilia Foundation, National Multiple Sclerosis Society and The Kennedy Forum

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