TuSalud

Affordable Care Act's Survival Praised as a "Victory for Patients"

The Supreme Court upholds the Affordable Care Act for a third time. Here's a look at responses from health care advocates.

June 18, 2021 By Trent Straube

The Affordable Care Act remains the law of the land! For the third time since it was signed in 2010, the nation's health care law, often referred to as the ACA or Obamacare, survived a Supreme Court challenge.

In a 7–2 decision issued Thursday, the justices did not rule on the merits of the case, California v. Texas, and instead said the plaintiffs who brought the lawsuit didn't have a legal right to do so. Nonetheless, health care advocates—including those representing disenfranchised communities and people living with HIV, cancer and hepatitis—praised the outcome.

> "There is no way to overstate how significant of an impact the ACA has had on the health of marginalized communities… For so many, these reforms were revolutionary." https://t.co/tWjlQUa8Sp
> — Lambda Legal (@LambdaLegal) June 17, 2021

"Today's decision allows people living with serious chronic illnesses, such as HIV and viral hepatitis, to breathe a sigh of relief that they will continue to have access to the care and treatment they need," said Rachel Klein, deputy executive director of the advocacy group The AIDS Institute, in a statement.

"This is a huge win for cancer patient & survivors," tweeted the American Cancer Society Cancer Action Network, adding that Americans will no longer have to worry that they'll be denied health insurance because of a preexisting condition or that they'll be forced into plans with caps, or

limits, on how much health care is covered.

In a 7-2 ruling, the Supreme Court has dismissed a challenge to the Affordable Care Act (ACA), which remains the law of the land. Signed into law more than 10 years ago, the ACA has been a vital source of access to health care for people living with HIV and hepatitis. pic.twitter.com/SbOo38030p

— NASTAD (@NASTAD) June 17, 2021

"There is no way to overstate how significant of an impact the ACA has had on the health of marginalized communities…. For so many, these reforms were revolutionary," tweeted Lambda Legal, an advocacy group for LGBTQ individuals and people who have HIV.

Tweets from other advocates are embedded throughout this article, but what, exactly are they all applauding? The Supreme Court basically said that the two individuals and the 18 Republican-led states that brought the case to the court didn't have standing to do so. In other words, they had no business filing the lawsuit because they failed to show the allegedly unlawful legislation harmed them in any way. Justices Neil Gorsuch and Samuel Alito dissented from the majority opinion. You can read the 57-page PDF of the opinion on SupremeCourt.gov.

Today's Supreme Court ruling upholding the Affordable Care Act is a win for blood cancer patients and anyone with a pre-existing condition. But our work is far from over ➡ https://t.co/Dv7ovoYEVc #SCOTUS #ACA pic.twitter.com/JvTqJELYRu

— The Leukemia & Lymphoma Society - Policy Advocacy

(@LLSAdvocacy) June 17, 2021

The case stems from a 2017 tax-cut bill passed by the then Republican-controlled Congress and signed by former President Donald Trump. One of the bill's provisions lowered the penalty for not having health insurance to zero dollars. (In a previous case, the Supreme Court had established that Congress, under its legal authority to levy taxes, had the right to enforce an individual mandate to have insurance or pay a penalty.)

In this recent case, the plaintiffs argued that when the penalty was lowered to $0, it ceased being a tax and therefore the individual mandate was unconstitutional. As a result of that one allegedly unlawful element, they argued, all the provisions of the ACA had to be tossed.

People living w/ #HIV & other conditions can breathe a sigh of relief today: #SCOTUS has left the #ACA intact, after a cynical attempt by those who want to take #healthcare away from millions to get the court to do what Congress wouldn't. But we need more. https://t.co/obNIPjyrGm

— PWN-USA (@uspwn) June 17, 2021

Those other provisions are substantial. The ACA does much more than create a health insurance exchange for people to buy coverage. In a blog post titled "The Affordable Care Act at Risk: What Does This Mean for You?" the Cancer Support Community explains that the law included key provisions that have impacted nearly all people nationwide, including:

- Expanded Medicaid eligibility for low-income adults, up to 138% of the federal poverty level. To date, 38 states and the District of Columbia have expanded Medicaid, and 14.8 million people have gained coverage as a result.

- Protected Americans with preexisting conditions, including cancer. Under the ACA, health

insurance companies cannot refuse coverage to individuals with preexisting conditions or charge them more for coverage.

- Allowed young adults to stay on their parent's insurance until age 26.

- Provided essential health benefits, including colorectal, cervical and breast cancer screening tests.

- Determined that health insurers cannot set annual or lifetime limits on how much they will pay for the benefits covered by an individual's plan.

These provisions ensure that millions of marginalized people, including LGBTQ people, Black Americans and Latinos, are protected against discrimination and can more easily access health care.

Supreme Court has upheld the ACA. We're overjoyed & relieved, like so many cancer patients & survivors, w/the decision to uphold the law. This will #keepuscovered & means patients/survivors won't have to worry that having a pre-ex condition=being denied comprehensive health ins. pic.twitter.com/TFC6UZuv1u

— ACSCAN (@ACSCAN) June 17, 2021

"If these patient protections were eliminated as a result of the lawsuit, we'd be turning back the clock on progress, and putting so many already-vulnerable people at risk for discrimination," said Michael Ruppal, executive director for The AIDS Institute in a statement by the group. "Discrimination and stigma have real consequences for real people's health and for ending epidemics."

"The ACA is a critical safety net for the nearly 17 million cancer patients and survivors across the

United States. A record 31 million people are currently receiving quality, comprehensive, and affordable health care under the ACA, through health insurance marketplaces and Medicaid expansion," wrote the Cancer Support Community in its own statement, which lauded the Supreme Court decision as "a victory for patients."

> Another win for the ACA today, the Supreme Court once again has upheld the healthcare law. The ACA has brought health insurance to millions and guaranteed patient protections that were missing before. Read our press release to get more details https://t.co/3LuNHv7AN2
>
> — The AIDS Institute (@AIDSadvocacy) June 17, 2021

"The ACA," the statement continues, "became even more important during the COVID-19 pandemic and the subsequent public health emergency and economic downturn for millions of individuals and families nationwide. In the last 4 months alone, more than 1.2 million people have enrolled in health insurance at HealthCare.gov during the federal marketplace's Special Enrollment Period."

For more about the special open enrollment period, see the POZ article from January titled "Millions Can Enroll in Obamacare Very Soon, Thanks to a Biden Directive."

> NBCC applauds today's Supreme Court decision in California v. Texas which preserves the ACA and saves health care coverage for millions of Americans. Read our full statement: https://t.co/X6TQi0xKE5
>
> — National Breast Cancer Coalition (@NBCCStopBC) June 17, 2021

Although Obamacare survived this challenge and many pundits are claiming that the health care law is more secure than ever, it would be naive to think Republicans will not continue their efforts to undo the law. Positive Women's Network–USA, an advocacy group for women living with HIV, puts the Supreme Court ruling in a larger context. In its own statement, it writes:

> Still, the fact that this lawsuit even made it to the Supreme Court—which is now more ideologically tilted than at any time in recent history—is profoundly disturbing and shows how fragile progress is, even when—especially when—it benefits the most vulnerable. And while the ACA concretely improved the lives and health of so many—the Center for Budget and Policy Priorities estimates that Medicaid expansion alone had saved over 19,000 lives of low-income adults between 2014 and 2017—it still does not go far enough. Since state governments can choose whether or not to expand Medicaid, far too many low-income people living with HIV in non-expansion states remain uninsured and have to rely on Ryan White programs and ADAP for their medications—if they manage to stay in care at all. Furthermore, the ACA's insurance marketplace, despite hefty government subsidies that make plans much more affordable to many, has not reduced the outrageous price tags on prescription medications, treatments, and medical services that have bankrupted so many and that lead to the U.S. spending more on health care than any other nation without guaranteeing coverage to all its residents or even ensuring quality of care. Insurance companies are still reaping huge profits while denying coverage for necessary medications, treatments, and procedures.

Today, the Supreme Court upheld the Affordable Care Act. Again. This ruling reaffirms what we have long known to be true: the Affordable Care Act is here to stay.

— Barack Obama (@BarackObama) June 17, 2021

In related news about health care in the United States, see "President Biden Proposes New Agency for Medical Breakthroughs" (the agency would initially focus on cancer, diabetes and Alzheimer's), "Biden Reinstates Health Care Protections for LGBTQ People," "Five Ways the White House Can Lower Prescription Costs" and "Biden's 2022 Budget Includes $670M to Fight HIV, but What About Hepatitis?"

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