

## About AMA's amicus brief to defend patients' ACA coverage

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This week, the AMA—along with the American College of Physicians, American Academy of Family Physicians, American Academy of Pediatrics, and the American Academy of Child and Adolescent Psychiatry—filed an amicus brief in response to the court case, *Texas v. United States*. With this action, the AMA opposes a lawsuit that would undermine the policies supported by our House of Delegates, including expanded health insurance coverage and other important patient protections.

This lawsuit challenges the constitutionality of the Affordable Care Act (ACA), arguing that Congressional action that reduced the tax on individuals who fail to comply with the individual mandate to purchase insurance voids the law itself. The Trump administration announced that it wouldn't defend the law.

If the plaintiffs are successful, important patient protections and insurance reforms that are current law would cease to exist. These include:

- Patients would no longer have protections for pre-existing conditions.
- Children would no longer have coverage under their parents' health insurance plan until age 26.
- Insurers would no longer be held to the 85 percent medical loss ratio, meaning they could generate higher profits at the expense of coverage and payments for services.
- 100 percent coverage for certain preventive services would cease.
- Annual and life-time dollar limits could be reinstated, leading to more bankruptcies due to health care costs.

Each of these provisions has broad, bipartisan and public support, and as physicians, we know how much these policies improve the lives of our patients. This new lawsuit seeks to change the federal government's health care policy through the courts, instead of through the legislature. The AMA firmly believes that these are judgments for Congress and not the courts to make. For these reasons, we will be fighting efforts to undermine this law in our judicial system.

For well over a decade, the AMA's message has been clear: we stand firmly with patients, committed to expanding coverage and protecting them from insurance industry abuses. Our work to support and defend the ACA is also reflective of our mission to improve the health of our nation. The evidence is clear: patients without insurance live sicker and die younger.

We all understand the ACA is imperfect, and the AMA continues to advocate refinements that improve our health system, protect patients' access to care, stabilize the individual market, and maintain critical coverage gains. In 2017, the AMA outlined nine key objectives for health system reform, the lens through which we consider all proposals for improvement and all threats to the current law. These objectives reflect decades of policy created in the AMA's House of Delegates and were developed in consultation with state and specialty medical societies.

Health insurance coverage has already eroded over the past year, and should this lawsuit succeed, these declines and patient premiums mushroom. This lawsuit adds further disruption to an insurance market that has been harmed by premium increases and political battles. An unfavorable decision at the district court level will cause further turmoil at a time when patients are considering enrollment decisions for the coming year.

There's a great deal at stake here, which is what called us to act now. Our patients depend on it.