6 times the AMA stood up for public health in court this year

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As Americans’ life expectancy has declined in recent years, premature mortality has risen, and the nation continues to get a deadly pandemic under control, the AMA’s mission of advancing public health is as important as it has ever been.

Across all practice settings and specialties, the AMA has innovative physician collaborations with patients, communities and public and private sector organizations to help improve health outcomes and boost life expectancy.

In the legal arena, Litigation Center of the American Medical Association and State Medical Societies is working in state and federal courtrooms to advocate public health through amicus briefs—sometimes called friend-of-the-court briefs. Public policies and laws go a long way in shaping public health in America, and often those measures that are good for public health are challenged in court.

Here are six stands the AMA and the Litigation Center took in their advocacy efforts for public health into the courtroom this year.

1. Allow vaccine exemptions for medical reasons only

   The AMA and others filed an amicus brief supporting a New York law—passed prior to the COVID-19 pandemic—that requires all children in the state be vaccinated before entering school, except those who qualify for a medical exemption. A New York appellate court ruled that the law protects the public’s health and does not prevent anyone from freely exercising their religion. Discover how the court cited the medical organizations’ brief in its
Let teens decide on COVID-19 vaccination, other medical care

The AMA joined several organizations representing physicians and adolescent-health professionals in filing two amicus briefs supporting the District of Columbia’s Minor Consent Act. The law protects minors’ access to medical care, including COVID-19 and other routine immunizations.

Learn more about why the AMA believes that although the standard of care is for physicians to involve parents in their medical decisions for their minor children, there can be times when that is impossible, impractical or even harmful to do so.

Requiring facts on sugary-drink ads isn’t unconstitutional

The American Beverage Association and others challenged a San Francisco requirement that sugar-sweetened beverage ads include a warning label to let people know added sugar can lead to weight gain, which in turn increases the risk for obesity and type 2 diabetes. The beverage industry says the requirement is unconstitutional.

The AMA Litigation Center filed a brief with the California Medical Association and other public health organizations supporting the city’s law, saying the facts are recognized by every major public health authority and the warning requirement is not unjustified or unduly burdensome.
Keep flavored tobacco products off store shelves

A federal court dismissed two lawsuits challenging a San Diego County law that bans the sale of flavored tobacco products in the jurisdiction, exactly what the AMA encouraged the court do in an amicus brief it filed with several other public health and anti-tobacco groups.

“By enacting the Flavors Ordinance, San Diego County has sought to protect its residents—and particularly its young people—from the continuing and increasing scourge of favored tobacco products that lure millions into a lifetime of addiction, disease and death,” the brief told the court. Learn more about the importance of keeping flavored tobacco products out of teens’ hands in the quest to prevent them from developing a habit detrimental to their health.

Only licensed MDs and DOs should be called “anesthesiologist”

The AMA Litigation Center and the American Society of Anesthesiologists, in an amicus brief, urged the New Hampshire Supreme Court to uphold a New Hampshire Board of Medicine (NHBOM) ruling that stops people from identifying themselves as anesthesiologists when they aren’t licensed as such.

The court agreed to let the NHBOM ruling stand after the New Hampshire Association of Nurse Anesthetists asked the state’s highest court to throw it out. The nurse anesthetists had earlier approved a position statement letting certified registered nurse anesthetists call themselves “nurse anesthesiologists.”

Teachers must use names, pronouns that match students’ gender identities

An Indiana school district’s policy requiring teachers to use names and pronouns consistent with students’ gender identities is a key piece to bolstering transgender youths’ physical and mental health, the AMA, the American Academy of Pediatrics and others told
a federal court in a friend-of-the-court brief supporting the policy.

In a win for transgender students, the court ruled that the school district’s policy did not violate a teacher’s religious beliefs. Learn more about what the court and the AMA brief had to say about the important role the policy plays in supporting student’s well-being.

Find out more about the cases in which the AMA Litigation Center is providing assistance and learn about the Litigation Center’s case-selection criteria.