

## DOZENS OF STAKEHOLDER GROUPS ASK FEDERAL COURT TO PRESERVE ACA'S PREEXISTING CONDITIONS PROTECTIONS

Dozens of key health care stakeholder groups and academics from both sides of the aisle are asking a federal court in Texas to reject the Trump administration's unexpected request to scrap the Affordable Care Act's (ACA's) health insurance protections for preexisting conditions, filing amicus briefs that take issue with the administration and 20 GOP-led states' position that Congress' repeal of the individual mandate negates the preexisting conditions provisions of the health law.

Thus far, only one group has filed an amicus brief in support of the administration in *Texas v. HHS* — a coalition of Conservatives including Citizens United, Gun Owners Foundation, Restoring Liberty Action Committee and others.

On June 7th, the Department of Justice (DOJ), in an unexpected move, declined to fully defend the ACA

from a challenge by 20 GOP-led states and asked the Texas federal court to invalidate the law's preexisting conditions coverage requirement as of January 1, 2019, when the individual mandate penalty goes away. June 14th was the deadline for outside groups to file amicus briefs on the case.

Dozens of groups weighed in by the deadline, including insurers, hospitals and patient groups. They overwhelmingly argued that the ACA's soon-to-be-defunct individual mandate is severable from the rest of the ACA.

The DOJ's argument for ending the coverage mandate for preexisting conditions was that the individual mandate tax and the rest of the ACA are inseverable, and thus Congress' intent to end the law was clear when lawmakers eliminated the mandate. ■