

What's at Stake if Republicans Win Their Lawsuit to Eliminate the Affordable Care Act

Yesterday, the Supreme Court announced it will hear the Texas v. United States case, a partisan lawsuit led by the Trump Administration and Republicans to strike down the Affordable Care Act in its entirety, including protections for Americans with pre-existing conditions. After failing previously to undo the law in the courts and repeal the law when they controlled all levers of government, President Trump and the GOP are continuing their assault on Americans' health coverage with this lawsuit. If successful, here's a look at what would be at stake for hundreds of millions of Americans:

THE CONSEQUENCES OF OVERTURNING THE ACA:

If Republicans eliminate the Affordable Care Act, it would have a devastating impact on the American people:

- Nearly 20 million Americans will lose health care coverage, [according to the Urban Institute](#).
- Over 130 million Americans with pre-existing conditions will lose protections.
- Over two million young adults will no longer be able to stay on their parents' insurance until age 26.
- Insurance companies will no longer be required to cover essential health benefits, such as prescription drugs, hospitalization, and maternity and newborn care.
- Insurance companies will no longer be required to provide free preventive care visits.
- Insurance companies will be allowed to place lifetime caps and annual caps on coverage.
- Insurance companies will be able to charge women more than men for the same health coverage.
- Millions of older Americans will see significant increases in their health insurance premiums as the ACA protections against the "age tax" are eliminated.
- Twelve million seniors who have saved millions of dollars on their prescription drugs under the ACA will no longer receive these savings.
- The Medicaid expansion, which was adopted by 37 states, will be gone, and millions of Americans will lose health coverage as a result.
- Financial assistance that has helped [9 million people receive health care will be eliminated](#).
- Federal funding for health coverage will [plummet](#) by almost \$135 billion.
- Rural hospitals that are already struggling [would be abandoned](#) and critical support for these hospitals would be gone.
- Affordability tax credits that reduce the cost of health care premiums for millions of Americans will no longer be available.
- Insurance companies will be allowed to use premiums for unlimited executive bonuses instead of paying for the health care of their customers.

ADVOCATES SLAM REPUBLICANS FOR EFFORTS TO SABOTAGE HEALTH CARE

Health care advocates are speaking out against this lawsuit:

Maura Calsyn, Managing Director of Health Policy at the Center for American Progress: "Repealing the ACA with no replacement plan to protect Americans' health care would have devastating consequences for the health and financial security of millions of families in every single state across the country. This strategy was rejected by Congress and voters at the ballot box in November 2018. If the administration was serious about protecting the American people's health care, they'd drop their lawsuit once and for all." [\[3/2/20\]](#)

Office of Majority Leader Steny H. Hoyer, 3/3/20

Leslie Dach, Chair of Protect Our Care: “If President Trump and his allies are successful, 135 million Americans with pre-existing conditions will lose protections and 20 million Americans will lose coverage. Every serious legal scholar agrees that this Trump-Republican lawsuit is entirely without merit. Every Republican who claims to care about health care should tell the president to drop this lawsuit.” [3/02/20]

Brad Woodhouse, Executive Director of Protect Our Care: “President Trump’s disastrous health care agenda, including his politicized response to the threat of coronavirus and ongoing lawsuit to overturn the ACA, continues to put Americans’ lives at risk. Instead of reassuring the American people that he is taking the threat of the coronavirus seriously or dropping his lawsuit that puts the health care of 20 million at risk, including over half a million North Carolinians, he calls coronavirus a ‘hoax’ and continues supporting the lawsuit. It’s clear the president has no interest in taking the threat of coronavirus seriously, as any other president wouldn’t play politics while the world grapples with a potential pandemic of this magnitude. President Trump’s lack of preparedness and his eagerness to take health care away from 20 million Americans not only spreads fear but threatens peoples’ health care at a time they’re worried about it the most.” [3/02/20]

Emily Stewart, Executive Director of Community Catalyst: “If the ACA is overturned, 20 million people will lose their health coverage and millions more will once again be living with the fear that they could be discriminated against because of pre-existing conditions like diabetes and cancer. Access to care will be undermined, making it harder for people to get mental health care, maternity care, treatment for substance use disorders, and more. The impact would fall disproportionately on people of color, who already face unfair and discriminatory barriers to health care and coverage. This lawsuit is yet another effort by the Trump administration and its allies to pursue through the courts what they couldn’t accomplish in Congress. They failed because millions of people fought back to protect their care. With the 10th anniversary of the ACA approaching, it’s outrageous that people in this country still have to live with uncertainty about whether they are going to have the affordable care they need to keep themselves and their families healthy.” [3/02/20]

Nancy LeMond, AARP Executive Vice President and Chief Advocacy and Engagement Officer: “Millions of Americans have benefited from the ACA’s protections against charging older Americans an age tax and prohibitions on discriminating against people who have preexisting health conditions. The ACA has impacted the lives of nearly every American—including older adults who can finally secure affordable health care, Medicare beneficiaries who can more reasonably afford their prescription medications, and people under age 26 who can remain on their parents’ insurance. A final ruling by the Supreme Court is needed to end years of uncertainty for millions of Americans who worry that they will lose access to critical health care coverage and essential consumer protections. It would also end the uncertainty for insurers and state and local governments who must make advance decisions each year about participating in the ACA Marketplaces and other ACA programs. Especially for those with chronic illnesses, health care coverage is essential to their wellbeing, financial resilience, and peace of mind. We respectfully urge the Supreme Court to uphold the central importance of the ACA’s coverage and consumer protections for individuals and families as they deliberate this case.” [03/02/20]