



# Attorney General Raoul Defends The Affordable Care Act In U.S. Supreme Court

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Chicago— Attorney General Kwame Raoul, as part of a coalition of 20 states and the District of Columbia, today [filed a brief](#) in the U.S. Supreme Court to defend the Affordable Care Act (ACA) against efforts to repeal the entire ACA, putting the health care of tens of millions of Americans at risk. The court agreed to review a recent 5th Circuit decision in *Texas v. United States* that held the ACA's individual mandate unconstitutional and called into question whether the remaining provisions of the law could still stand — jeopardizing the Medicaid expansion, critical public health programs that help fight COVID-19, and subsidies that help working families access care, among countless others.

Raoul and the coalition argue that the 5th Circuit's decision threatens health care coverage protections for 133 million Americans with pre-existing conditions, and would allow health insurance companies to deny individuals care or charge more based on their health status.

“I have personally experienced the value of having access to health care coverage, and that has fueled my fight for others to have access to lifesaving care,” Raoul said. “The COVID-19 pandemic highlights the need to recommit to defending the Affordable Care Act and continue to fight against any effort to diminish access to health care for Illinois residents.”

The lawsuit, originally filed by a Texas-led coalition and supported by the president's administration, argued that Congress rendered the ACA's individual mandate unconstitutional when it reduced the penalty for forgoing coverage to \$0. They further argued that the rest of the ACA should be held invalid as a result of that change. While the 5th Circuit held that the individual mandate is unconstitutional, it sidestepped the further question as to the validity of the ACA's remaining provisions. In January, Raoul

and the coalition petitioned the Supreme Court for review in order to protect Americans' health care and resolve the uncertainty created by the 5th Circuit decision.

In today's brief, Raoul and the coalition make clear that patients, doctors, hospitals, employers, workers, states, pharmaceutical companies and more will be negatively impacted if the ACA should fall. The brief also highlights important advancements in health care access made under the ACA, including:

- More than 12 million Americans receiving coverage through Medicaid expansion.
- Nearly 9 million individuals nationwide receiving tax credits to help afford health insurance coverage through individual marketplaces.
- Millions of working families relying on high-quality, employer-sponsored insurance plans.
- Important protections prohibiting insurers from denying health insurance to the 133 million Americans with pre-existing conditions (like diabetes, cancer, or pregnancy), or from charging individuals higher premiums because of their health status.
- Nearly \$1.3 trillion in federal funding being dedicated to keeping Americans healthy and covered, including Medicaid expansion and public health dollars.

Joining Raoul in the brief are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Iowa, Massachusetts, Michigan, Minnesota (by and through its Department of Commerce), Nevada, New Jersey, New York, North Carolina, Oregon, Rhode Island, Vermont, Virginia, Washington, as well as the governor of Kentucky.