

June 17, 2021

Supreme Court Dismisses Third Major Challenge to Affordable Care Act

See AHA's media statement on the ruling; watch for an analysis this afternoon from Sean Marotta, who authored AHA's friend-of-the-court brief in this case

The United States Supreme Court this morning [rejected the third major challenge to the Affordable Care Act](#), holding in a 7-2 decision that the challengers did not have “standing,” or the legal right to challenge the portions of the ACA they alleged were unconstitutional.

The plaintiffs contended that without a penalty to back up the ACA's individual mandate, the mandate could no longer be justified under Congress' taxing power and that the newly unconstitutional mandate could not be separated from the rest of the ACA. However, the Court held that the individual plaintiffs challenging the law did not suffer an injury traceable to the allegedly unconstitutional individual mandate because the mandate did not force them to do anything; a statute that tells patients to buy insurance but does not include a consequence for noncompliance does not harm anyone.

The Court likewise held that the states challenging the ACA did not suffer an injury traceable to the allegedly unconstitutional individual mandate because their claimed “pocketbook” losses in providing minimum essential coverage came not from the mandate, but from portions of the ACA that the states did not challenge. The ruling said that because neither the individual plaintiffs nor the states had standing, the Court rejected the challenge in total, leaving the ACA unscathed.

Justice Stephen Breyer wrote the Court's opinion. Justices Samuel Alito and Neil Gorsuch dissented.

AHA Take: In a [statement shared with the media today](#), AHA President and CEO Rick Pollack said, “The more than 30 million Americans who secured health insurance under the Affordable Care Act can again breathe a sigh of relief. But our work is far from over. We need to redouble our efforts to close coverage gaps and make care affordable and accessible for everyone, all while continuing to fight COVID-19 and encouraging more Americans to get vaccinated. The AHA is eager to partner with Congress and the Biden administration to make sure all Americans can achieve their highest potential for health.”

Watch for a blog with more analysis in AHA Today this afternoon from AHA outside counsel Sean Marotta, a partner at Hogan Lovells, who authored AHA's friend-of-the-court brief in this case.

FURTHER QUESTIONS

If you have questions, please contact AHA at 800-424-4301.