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Supreme Court Upholds the Affordable Care Act

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On June 17, 2021, the U.S. Supreme Court upheld the constitutionality of the Patient Protection and Affordable Care Act (ACA) by a 7-to-2 vote. The Court heard oral arguments in the case, *California v. Texas*, on November 10, 2020, which was a consolidation of 20 cases filed by state attorneys general and governors.

The three main issues in *California v. Texas* were:

- 1) Whether Texas, the accompanying states, the federal government, and two individual plaintiffs have “standing” to sue, which means having a sufficient connection to and harm by the ACA as a precondition to challenging the law.
- 2) Whether the elimination of the ACA’s penalty for individuals who do not maintain minimum essential coverage (MEC), also known as the individual mandate, renders the individual mandate unconstitutional.
- 3) If the individual mandate is unconstitutional, whether the remainder of the ACA’s provisions are unable to be separated from the individual mandate, thereby making the entire ACA unconstitutional.

The Court’s Decision

The Court ruled that the plaintiffs did not have standing, or a legal right to sue, to challenge the constitutionality of the ACA. The Court did not address the merits of whether the individual mandate was constitutional. Accordingly, there is a possibility that additional constitutionality challenges will be made in the future. For now, the ACA remains intact and unchanged.

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