

NEWS BRIEF

The Biden Administration Tells Supreme Court to Uphold the Affordable Care Act

Recently, the Biden administration told the Supreme Court to uphold the Affordable Care Act (ACA). In a [letter](#) to the Supreme Court, Deputy Solicitor General Edwin Kneedler clarified the federal government's new position of upholding the ACA.

Kneedler stated, "Following the change in Administration, the Department of Justice has reconsidered the government's position," noting that the United States "no longer adheres to the conclusions" of the Trump administration. The letter states that the current U.S. Department of Justice views the ACA as constitutional.

This reversal comes after the Trump administration had wanted to invalidate the ACA as unconstitutional, on the basis of Congress' decision in 2017 to remove the individual mandate, the tax penalty for not purchasing insurance. The Trump administration had argued that removing that provision invalidated the entire law because the remaining provisions were intended to work in tandem.

The Biden administration argues that the 2017 amendment preserved the choice between lawful options and eliminated any financial or legal consequences for choosing not to enroll in health coverage. The administration also argues that even if the court finds the mandate unconstitutional, it should sever the mandate and allow the rest of the law to stand.

What's Next

The letter is largely symbolic and likely won't have an impact on the outcome of the ACA, as Texas state

officials and the other plaintiffs will continue to pursue the case.

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The case was argued before the Supreme Court in November 2020, and is expected to be ruled on by July.

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If the individual mandate is deemed unconstitutional, but the remainder of the ACA is upheld, then little will change from the current state of affairs. In the event that the ACA is struck down, Americans covered by the ACA would lose coverage, which would significantly change the landscape of health care.

JP Griffin Group will monitor this story and keep you updated on any noteworthy developments.



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