

Supreme Court Hears Obamacare Case for Third Time

The U.S. Supreme Court is hearing a third major legal challenge to the Affordable Care Act (ACA), or Obamacare, to decide if the law is unconstitutional.

The lawsuit, *California v. Texas*, comes from a group of 18 Republican-led states and two individuals who live in Texas. It argues that the ACA should be struck down after the financial penalty for not buying health insurance was reduced to \$0 in a 2017 tax law passed by a Republican Congress and President Trump.

Backed by the Trump administration, the group of red states argues the government can't force people to buy insurance. They say the so-called "tax" attached to not having insurance is now nonexistent and can't be separated from the rest of the law, meaning that the entire ACA is now unconstitutional.

A brief from the opposing blue states reads, "The Tax Cuts and Jobs Act reduced to zero the amount of the alternative tax imposed by the individual mandate. That amendment 'declawed the coverage requirement without repealing any other part of the ACA.' In other words, the statutory scheme currently in effect—which was adopted by both Houses of Congress and signed into law by the president—makes the minimum coverage provision effectively unenforceable while preserving the rest of the ACA."

It continues, "The statutory text thus gives us 'unusual insight into Congress' thinking...' It manifests 'Congress' intent that' the balance of the ACA 'should survive in the absence' of an enforceable minimum coverage provision."

More than 20 million Americans currently utilize the ACA for health coverage. It was first challenged in 2012 and then

again in 2015, where both times the Supreme Court upheld the law.

A final ruling is expected by June 2021.

The hearing will be the first on this matter for newly appointed Justice Amy Coney Barrett. NPR reports Barrett consistently criticized the court's two previous decisions, leading Senate Democrats to repeatedly drill her over it at last month's confirmation hearings. {eo}

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