



**For Immediate Release**  
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## **DPCC State-By-State Report: Lawsuit Threatens Health Care for Millions of Americans**

Health care for millions of Americans is once again at risk. In early July, the Fifth Circuit Court of Appeals will hear arguments in the *Texas v. United States* case, a lawsuit brought by 18 Republican Attorneys General and Governors to eliminate the Affordable Care Act. The Trump-led Justice Department is on board too; it filed a brief in support of overturning the entire Affordable Care Act. **That includes protections for the [133 million Americans](#) with a pre-existing condition.**

Republicans have tried to repeal or undermine the Affordable Care Act **over 100 times**. Time after time, the American people have spoken out against these efforts. Yet the Trump Administration is once again trying to undermine the Affordable Care Act.

**If the Trump Administration and Republicans succeed and the entire health care law is struck down:**

- Protections for people with pre-existing conditions would be eliminated
- Millions would be kicked off Medicaid
- Individual insurance markets and premium assistance would be eliminated
- Seniors on Medicare would face increased prescription drug costs
- Women could be charged more than men for health care
- Young people would no longer have access to their parents' insurance plan up to age 26
- Annual and lifetime caps on benefits could return
- There would no longer be guaranteed coverage for preventative screening and contraceptive services without deductibles or copayments
- There would no longer be guaranteed coverage for mental health and addiction treatment services

### **Who Will This Decision Impact?**

The far-reaching consequences of a ruling in the *Texas v. United States* case cannot be underestimated. Overturning the Affordable Care Act would mean:

- The number of uninsured people in the U.S. would increase by [19.9 million, or 65%](#).
- Medicaid and CHIP enrollment would fall by [15.4 million people](#) through the elimination of the ACA's Medicaid expansion.
- Demand for uncompensated care would increase by **\$50.2 billion**, an increase of 82% compared with ACA levels. This would devastate rural and safety-net hospitals, [leading to more hospital closures](#). [The burden would ultimately fall on the backs of consumers through increased premiums, copays and health care costs.](#)
- [5.5 million young adults](#) age 19-25 who were able to stay on their parents' insurance plans would lose that option.

### **State-By-State Impact**

- 11.4 million people were enrolled in marketplace insurance in 2019. **SEE STATE-BY-STATE DATA [HERE](#).**
- [133 million Americans](#) have a pre-existing condition. **SEE STATE-BY-STATE DATA [HERE](#).**
  - Nearly 27% of adults have a pre-existing condition that would have led to a denial of insurance in the individual market before the ACA.
  - Before the ACA, insurers typically used medical underwriting to deny coverage to people with pre-existing conditions and excluded coverage of any pre-existing conditions for people who were accepted.
  - The ACA requires coverage of essential health benefits. Previously, insurers in the individual market often excluded coverage of maternity, mental health, and substance abuse.
- [17 million Americans](#) receive care because of Medicaid expansion. **SEE STATE-BY-STATE DATA [HERE](#).**
  - This lawsuit is just another step in Republican efforts to tear down Medicaid, which is a critical safety net program that provides comprehensive, affordable health coverage to more than one in five Americans, including seniors, children, Americans with disabilities, veterans, pregnant women, Americans struggling with substance use disorder, and low-income Americans.
  - Compare current monthly Medicaid & CHIP enrollment numbers to pre-ACA monthly enrollment levels in each state [HERE](#).
  - Medicaid covers roughly half of all births in the United States. **SEE STATE-BY-STATE DATA [HERE](#).**

- 91 Americans die every day from an opioid overdose, a crisis the President has declared a [national emergency](#). If the ACA is struck down, [billions of dollars for substance abuse treatment](#) will be eliminated. **SEE STATE-BY-STATE DATA [HERE](#).**
- Almost one million people in the United States live with HIV/AIDS, an epidemic that the President has claimed he wishes to end. If the ACA is struck down, HIV/AIDS will once again be a pre-existing condition. **SEE STATE-BY-STATE DATA [HERE](#).**
- [43 million seniors](#) enrolled in Medicare Part D prescription drug plans may pay thousands more for prescription drugs because of the re-opening of the donut hole. **SEE STATE-BY-STATE DATA [HERE](#).**
  - Since the enactment of the Affordable Care Act, more than 11.8 million Medicare beneficiaries have saved over \$26.8 billion on prescription drugs – [an average of \\$2,272 per senior](#).
- [More than 156 million Americans](#) with private or employer-sponsored insurance would lose the consumer protections, including free preventive care, prohibitions on lifetime or annual limits, and waiting periods to enroll in insurance. **SEE STATE-BY-STATE DATA [HERE](#).**
- [Nearly 58 million women](#) could once again be forced to pay hundreds of dollars out-of-pocket for contraceptive coverage. **SEE STATE-BY-STATE DATA [HERE](#).**
- [Nearly 8.5 million women](#) enrolled in [non-group plans](#) could once again be charged more than men for health insurance. **SEE STATE-BY-STATE DATA [HERE](#).**