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NATIONAL PATIENT GROUPS FILE AMICUS BRIEF IN FEDERAL APPELLATE COURT DEFENDING PATIENT PROTECTIONS IN THE AFFORDABLE CARE ACT

Statement of the American Cancer Society, the American Cancer Society Cancer Action Network, the American Diabetes Association and the American Heart Association

WASHINGTON -- January 21, 2011 -- The nation's leading groups representing patients and families living with cancer, diabetes, heart disease or stroke jointly filed an amicus brief in federal appellate court today in support of provisions of the Affordable Care Act that are critical for people with life-threatening chronic diseases.

The American Cancer Society, the American Cancer Society Cancer Action Network, the American Diabetes Association and the American Heart Association filed as amici curiae in the U.S. Court of Appeals for the Sixth Circuit, which is hearing the appeal of a district court decision in a case brought by the Thomas More Law Center. In that decision, Judge George C. Steeh of the U.S. District Court for the Eastern District of Michigan ruled the law's "individual responsibility" or "individual mandate" requirement to be constitutional.

Following is a statement from the four organizations that filed the amicus brief:

"Our organizations, which represent tens of millions of people across the country who are living with cancer, diabetes, heart disease or stroke, have decided after careful thought and deliberation to file an amicus brief in support of provisions of the Affordable Care Act (ACA) that are critical for people with life-threatening chronic diseases.

"Our organizations believe that critical patient protections in the Affordable Care Act, including those that end discrimination in the insurance market against people with chronic diseases, would not be sustainable without the individual responsibility requirement. These provisions significantly improve the health care system for chronic disease patients and their families by expanding access to quality, affordable health care; reducing the cost burden on families; and refocusing the system to emphasize prevention.

"For decades our organizations have worked to expand access to health care nationwide and to boost our nation's emphasis on disease prevention and management. As any patient knows, chronic disease strikes people without regard for their opinions or political persuasion. We regret that the current health care debate has been so divisive to the country, but we continue our determined efforts to support and strengthen provisions of the law that enable patients with chronic diseases to access quality, affordable health care.

"Provisions of the ACA that are already in effect prohibit insurance companies from denying coverage to children with pre-existing conditions, eliminate lifetime benefit limits and restrict annual benefit limits that can cause the sudden termination of coverage, prohibit the unfair rescission of coverage, and enable children to stay on their parents' health plan until age 26. Beginning in 2014, additional provisions will guarantee health coverage to all applicants regardless of pre-existing conditions, prohibit insurance companies from charging people more for coverage because of their health status, establish minimum essential benefits for plans sold in health benefit exchanges and make quality care more affordable through tax credits based on financial

need and expanded Medicaid eligibility.

"These and the law's other patient protections can only work if all Americans are required to have health insurance. Without that requirement, healthy people tend to avoid buying insurance until they need it, leaving insurance plans to cover a sicker population and driving up costs for everyone in the health care system.

"Under the individual responsibility requirement, having health insurance becomes a shared responsibility for all Americans -- we each pay into the system with the security of knowing that we will have access to quality, affordable health care when we need it.

"But without the patient protections that the individual responsibility provision makes possible, large numbers of people with life-threatening chronic diseases will be denied care or charged far more than they can afford for it. Research studies individually conducted by our groups and others clearly show that people without health insurance are more likely than those with insurance to suffer from advanced-stage chronic disease.

"Health insurance coverage is essential to leading a healthy life. We urge that the individual responsibility provision be upheld so critical patient protections that are increasing access to quality, affordable health care can be successfully implemented."

The American Cancer Society combines an unyielding passion with nearly a century of experience to save lives and end suffering from cancer. As a global grassroots force of more than three million volunteers, we fight for every birthday threatened by every cancer in every community. We save lives by helping people stay well by preventing cancer or detecting it early; by helping people get well by being there for them during and after a cancer diagnosis; by finding cures through investment in groundbreaking discovery; and by fighting back by rallying lawmakers to pass laws to defeat cancer and by rallying communities worldwide to join the fight. To learn more about us or to get help, call us anytime, day or night, at 1-800-227-2345 or visit cancer.org.

ACS CAN, the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society, supports evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem. ACS CAN works to encourage elected officials and candidates to make cancer a top national priority. ACS CAN gives ordinary people extraordinary power to fight cancer with the training and tools they need to make their voices heard. For more information, visit www.acscan.org.

The American Diabetes Association is leading the fight to Stop Diabetes and its deadly consequences and fighting for those affected by diabetes. The Association funds research to prevent, cure and manage diabetes; delivers services to hundreds of communities; provides objective and credible information; and gives voice to those denied their rights because of diabetes. Founded in 1940, our mission is to prevent and cure diabetes and to improve the lives of all people affected by diabetes. For more information please call the American Diabetes Association at 1-800-DIABETES (1-800-342-2383) or visit www.diabetes.org. Information from both these sources is available in English and Spanish.

The American Heart Association is the nation's oldest and largest voluntary health organization dedicated to fighting heart disease and stroke. Our mission is to build healthier lives by preventing, treating and defeating these diseases – two of America's leading killers. We fund cutting-edge research, conduct lifesaving public and professional educational programs, and advocate to protect public health. To learn more or join us in helping all Americans, call 1-800-AHA-USA1 or visit heart.org.

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