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National Patient Groups File Amicus Brief with U.S. Supreme 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 12, 2012 – The nation’s leading groups representing patients and families living with cancer, diabetes, heart disease or stroke jointly filed an amicus brief with the U.S. Supreme 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 an amicus curiae in the appeal of a decision handed down by the U.S. Court of Appeals for the 11th Circuit, in Atlanta. The decision, from a divided three-judge panel, said the “individual responsibility” or “individual mandate” requirement that most Americans purchase insurance coverage was unconstitutional, but found that the remaining parts of the law could remain in force.

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, support provisions of the Affordable Care Act that are critical for people with life-threatening chronic diseases. On behalf of patients with chronic diseases, we hope the Court will uphold the constitutionality of the law to ensure broad access to its critical patient protections.

“Patient protections such as those that end discrimination in the insurance market against people with chronic diseases would likely 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.

"Patients with chronic diseases are already reaping the benefits of critical protections that prohibit insurers from denying coverage to children with pre-existing conditions, setting arbitrary dollar limits on benefits that can cause the sudden termination of coverage, and rescinding coverage after a policyholder receives a diagnosis. Other provisions enable children to stay on their parents' health plan until age 26 and give uninsured patients with a pre-existing condition access to affordable health coverage. 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.

"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. The evidence is clear that barriers to care result in advanced-stage disease with poorer health outcomes.

"Health insurance coverage is essential to leading a healthy life. We are optimistic that timely review by the nation's highest court will end confusion about the validity of the law and allow implementation to continue in a way that supports and strengthens provisions of the law that enable patients with chronic diseases to access quality, affordable health care."

To view the full amicus brief, visit: <http://bit.ly/wL46Ve>.

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](http://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](http://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](http://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](http://heart.org).

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