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U.S. Supreme Court Upholds Affordable Care Act: Lambda Legal Will Press for Expanded Coverage

"The Court's decision today will save the lives of many people living with HIV - as long as states do the right thing."

(New York, June 28, 2012) - In a decision released today, the U.S. Supreme Court upheld key provisions in the Affordable Care Act. Lambda Legal issued the following statement from Scott Schoettes, HIV Project Director for Lambda Legal:

"This is a victory for all Americans, but in particular, the Court's decision today will save the lives of many people living with HIV - as long as states do the right thing. The Affordable Care Act will finally allow people living with HIV to access medical advancements made years ago but that have so far remained out of reach of many. With continuing prevention education, early detection, and quality care for everyone living with HIV, we have the power to stem the HIV/AIDS epidemic.

"But this is not a complete victory, because today's decision allows states to opt out of the Medicaid expansion that would provide insurance coverage for many low-income people who cannot otherwise afford it. Our continuing challenge will be to make sure that states opt to expand Medicaid so that more low-income people, and particularly those with HIV, can get the health care they urgently need."

Having been an advocate of healthcare reform for over 20 years and representing the legal interests of people with HIV from the start of the epidemic, Lambda Legal submitted a friend-of-the-court brief in this case which supported the federal government's position that the ACA's minimum coverage requirement (also known as the individual mandate) is constitutional.

The following organizations are listed as signatories in the amicus brief: AIDS United, Asian and Pacific-Islander Coalition on HIV/AIDS (APICHA), Black AIDS Institute, Center for HIV Law and Policy, Gay and Lesbian Advocates & Defenders (GLAD), Gay and Lesbian Medical Association (GLMA), HIV Medicine Association (HIVMA), HIV Prevention Justice Alliance (HIV PJA), Latino Commission on AIDS, National Association of People with AIDS (NAPWA), National Center for Lesbian Rights (NCLR), National Center for Transgender Equality (NCTE), National Native American AIDS Prevention Center (NNAAPC), U.S. Positive Women's Network/WORLD, and Treatment Access Expansion Project (TAEP).

Lambda Legal's HIV Project Director, Scott Schoettes, and Director of Constitutional Litigation, Susan Sommer, were joined as counsel on the brief by Ropes & Gray LLP attorneys Douglas Hallward-Driemeier, Bradley Grossman, Brendon Carrington, and Jacob Heller.

Read the decision here: http://www.lambdalegal.org/in-court/legal-docs/dept-of-hhs_us_20120628_scotus-decision

Read the amicus brief here: http://www.lambdalegal.org/in-court/legal-docs/dept-of-hhs_us_20120113_brief-for-amici-curiae

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Lambda Legal is a national organization committed to achieving full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV through impact litigation, education and public policy work.