

52 Patient Groups Applaud Justice Department's Stay Request in Braidwood Lawsuit

Washington, D.C.— (April 13, 2023) — Patient groups representing millions of people with serious health conditions released a statement today to thank the Department of Justice for requesting a stay in the ruling of the *Braidwood v. Becerra* case, which threatens coverage of U.S. Preventive Services Task Force (USPSTF) recommended preventive services without cost sharing as required under the Affordable Care Act (ACA).

The nation's leading health groups, including the American Cancer Society Cancer Action Network, the American Lung Association, the American Heart Association, HIV+HIV Policy Institute and the National Alliance on Mental Illness (full list is below), issued the following statement:

"Our organizations thank the Department of Justice for its request of a stay in the *Braidwood v. Becerra* lawsuit. The March 30 ruling by the US District Court in the Northern District of Texas has an immediate and devastating impact on our communities and a stay is necessary to save lives. We urge the court to grant this request right away.

"Under the March 30 ruling, those with private health insurance coverage would no longer have the guarantee of cost-free coverage for preventive services recommended by the USPSTF after the enactment of the Affordable Care Act (ACA) in March 2010. All but two of USPSTF's current 'A' or 'B' recommendations have been issued or updated since that time. While ACA marketplace and Medicaid expansion plans are likely still required to cover these preventive services under other regulations, these plans would be able to reinstate cost-sharing, reducing uptake of lifesaving screenings and medications and irreversibly harming the public's health.

"Without a stay, patients will lose the federal law guarantee of cost-free coverage of numerous critical services recommended by USPSTF since March 2010, including lung cancer screening; counseling interventions for individuals who are pregnant or postpartum, which were first recommended in 2019; and other preventive services including screening for anxiety in children and adolescents, screenings for Hepatitis B and C, and medications to prevent HIV.

"Additionally, many preventive services recommended prior to March 2010 have undergone significant updates reflecting advancements in medical evidence that would no longer be reflected in coverage requirements, including screenings for HIV, cardiovascular disease, colorectal and cervical cancers, hypertension and preeclampsia.

"While the initial response from some insurance companies about keeping preventive services covered without cost-sharing is somewhat encouraging, we cannot assume this will be the case for all plans. Congress required cost-free coverage in the ACA precisely because it found that insurers and companies were imposing cost-sharing requirements, or excluding coverage, and that those costs impose a significant barrier to individuals' use of these services. A federal guarantee is necessary to protect coverage without cost-sharing for the millions of individuals our organizations represent.

"The preventive services impacted by this ruling ensure people can prevent, detect and treat their conditions as early as possible, improving health outcomes and saving patients and the healthcare

system money. Without this stay, this decision would undoubtedly reduce access to these lifesaving services and create confusion and uncertainty that deter use of preventive care in general.”

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ADAP Advocacy Association
AIDS United
ALS Association
American Cancer Society Cancer Action Network
American Diabetes Association
American Heart Association
American Kidney Fund
American Liver Foundation
American Lung Association
Arthritis Foundation
AVAC
Cancer Support Community
CancerCare
Caring Ambassadors Program
Community Access National Network
Community Catalyst
Crohn's & Colitis Foundation
Cystic Fibrosis Foundation
Epilepsy Foundation
GO2 for Lung Cancer
HealthHIV
Hemophilia Federation of America
Hep B United
Hepatitis B Foundation
HIV Medicine Association
HIV+Hepatitis Policy Institute

Immune Deficiency Foundation
LUNgevity Foundation
Lupus Foundation of America
MPact Global Action
National Alliance on Mental Illness (NAMI)
National Coalition for Cancer Survivorship
National Coalition for LGBTQ Health
National Disability Rights Network (NDRN)
National Eczema Association
National Health Council
National Hemophilia Foundation
National Kidney Foundation
National Multiple Sclerosis Society
National Organization for Rare Disorders
National Patient Advocate Foundation
National Psoriasis Foundation
National Viral Hepatitis Roundtable (NVHR)
National Working Positive Coalition
Patient Access Network (PAN) Foundation
PlusInc
Pulmonary Hypertension Association
Susan G. Komen
The AIDS Institute
The Leukemia & Lymphoma Society
U=U plus
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