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AARP and AARP Foundation File Amicus in Support of ACA

AARP argues that the entire ACA is constitutional and essential for older adults, requests denial of Texas' request for preliminary injunction.

WASHINGTON, DC—AARP and AARP Foundation have asked the U.S. District Court to accept an **amicus brief** supporting the constitutionality of the Patient Protection and Affordable Care Act (ACA). The brief explains many ways in which the ACA has greatly benefited older adults and emphasizes the importance of protections for people with preexisting conditions and the limits on charging higher rates based on age (age tax). AARP and AARP Foundation have requested that the court accept the brief in response to the state of Texas' request for a preliminary injunction to stop implementation of the ACA.

"AARP strongly opposes any attempts to take away the ACA's protection for people with preexisting health conditions or to bring back an unfair age tax on older adults," said AARP **Executive Vice President and Chief Advocacy & Engagement Officer Nancy LeaMond**. "Before the ACA, health insurance was unavailable or unaffordable to millions of older Americans ages 50 to 64. Allowing insurance companies to once again charge people with high blood pressure, heart disease, cancer, diabetes or other conditions up to 10 times more than what others pay for the same coverage - or deny them coverage altogether - would be devastating to the estimated 25 million older adults with a preexisting condition."

In their brief, AARP and AARP Foundation argue that Congress did not intend to rip health insurance protections away from vulnerable adults when it reduced the tax penalty in the Tax Cuts and Jobs Act of 2017.

According to their brief:

"A ruling in favor of Plaintiffs is not in the public interest. It would have a catastrophic, nationwide effect on the health and financial stability of all Americans, but especially older adults who will be precluded from receiving the health care services that they desperately need."

"The ACA is a lifeline for older adults that ensures they have access to quality, affordable health insurance and important consumer protections. Any interruption in the enforcement and operation of the ACA will have a devastating effect as they rely heavily on the law for their health and financial stability. They cannot afford to return to pre-ACA days and lose essential protections."

"Doing away with these critical protections will also re-open the Part D 'doughnut hole' and seniors would be forced to pay even more out-of-pocket for their prescription drugs," said LeaMond. "Undermining these two ACA provisions will also undoubtedly impact millions of Americans with employer-based health insurance."

AARP and AARP Foundation are requesting that the Court deny the plaintiffs' application for preliminary injunction.

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About AARP

AARP is the nation's largest nonprofit, nonpartisan organization dedicated to empowering people 50 and older to choose how they live as they age. With a nationwide presence and nearly 38 million members, AARP strengthens communities and advocates for what matters most to families: health security, financial stability and personal fulfillment. AARP also produces the nation's largest circulation publications: AARP The Magazine and AARP Bulletin. To learn more, visit www.aarp.org or follow @AARP and @AARPadvocates on social media.

About AARP Foundation

AARP Foundation works to end senior poverty by helping vulnerable older adults build economic opportunity and social connectedness. As AARP's charitable affiliate, we serve AARP members and nonmembers alike. Bolstered by vigorous legal advocacy, we spark bold, innovative solutions that foster resilience, strengthen communities and restore hope.

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