



# Texas v. United States (N.D. Tex.)

Topics Covered:      Affordable Care Act

## **Issue**

The issue in this case is whether the Affordable Care Act (ACA) remains valid, in light of the repeal of the Individual Mandate tax in the Tax Cuts and Jobs Act of 2017 (TCJA).

## **AMA Interest**

The AMA opposes wholesale repeal of the ACA.

## **Case Summary**

Twenty states (most, but not all, of which are commonly characterized as “red” states) sued to have the ACA declared invalid. The plaintiffs asserted that (1) the ACA has been viable only because of the existence of the Individual Mandate, which requires individuals either to maintain health insurance coverage or to pay money to the federal government, (2) the Individual Mandate is constitutional only because it can be deemed a form of tax, (3) the TCJA, although it did not repeal the Individual Mandate, reduced the monetary payment imposed on failure to maintain health insurance to zero, and (4) therefore the Individual Mandate can no longer be deemed a tax and is thus now unconstitutional. Seventeen other states (most, but not all of which are commonly considered “blue” states) intervened as defendants to defend the continued validity of the ACA.

The plaintiffs have moved for a preliminary injunction against continued enforcement of the ACA. This motion is being briefed.

## **AMA Involvement**

The AMA filed an amicus brief, at the trial level, which argued against the motion for preliminary injunction and in favor of the continued viability of the ACA.

United States District Court brief