A federal district court rejected several challenges to key provisions of the Affordable Care Act (ACA) in an Oct. 31, 2012 opinion that addressed questions left unresolved about the 2010 health reform legislation in National Federation of Independent Business v. Sebelius, the Supreme Court’s landmark decision upholding most of the law as constitutional. In the same case, Association of American Physicians & Surgeons, Inc. v. Sebelius, No. 1:10-cv-00499-ABJ (D.D.C. Oct. 31, 2012), the court also rejected challenges by the plaintiffs—two national associations of caregivers, medical business owners, and health care consumers—to various Medicare regulations, including one challenge for which a petition for review is pending before the Supreme Court.

As to the ACA, the court rejected as lacking any merit the plaintiffs’ claims that employer and individual insurance mandates in the statute, which together require most Americans to maintain, and certain large employers to provide to their employees, minimum health insurance coverage or pay an assessment to the federal government, amounted to unconstitutional takings of private property and deprivations of equal protection. With respect to the takings argument, the court reasoned that the plaintiffs’ logic would lead to the conclusion that “the government w[as] prohibited from using tax money for the benefit of the American people, or . . . it was required to give the money back”—a conclusion that was at odds with the Supreme Court’s sustaining of the individual mandate as a constitutional exercise of Congress’s taxing power in National Federation. With respect to the equal protection argument, moreover, the court explained that Congress acted rationally in distinguishing between insured and uninsured persons, and incentivizing obtainment of qualifying health insurance through the imposition of assessment payments in a larger effort to decrease premium prices and increase the number of insured.

Unlike the ACA arguments, the court rejected most of the plaintiffs’ Medicare arguments without addressing their substance. Among them, the court held that the plaintiffs lacked standing to challenge provisions of the Social Security Program Operations Manual System that state that any individual who receives social security benefits is automatically entitled to Medicare Part A benefits. But even if the plaintiffs did have standing, the court noted, it would be bound to dismiss the challenge under Hall v. Sebelius, 667 F.3d 1293 (D.C. Cir. 2012)—a case in which the U.S. Court of Appeals for the District of Columbia Circuit rejected a similar challenge on its merits and which has since been appealed to the Supreme Court.

As the Supreme Court weighs whether to review Hall, and other federal courts analyze claims against the employer and individual mandates in ACA leftover from National Federation, the plaintiffs in Association of American Physicians & Surgeons have vowed to appeal.

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