

Supreme Court Rules on the Affordable Care Act

The Supreme Court issued its decision in the *King v. Burwell* case on June 25th. By a vote of 6-3 the Court upheld the Affordable Care Act's (ACA) premium subsidies in states that have not established their own Exchange. Nearly 7 million Healthcare.gov enrollees in 34 states can keep their health insurance premium subsidies under the law as it is written.

Chief Justice John Roberts and Associate Justice Anthony Kennedy, the two conservative swing votes on the court, joined liberal-leaning Justices Ruth Bader Ginsburg, Stephen Breyer, Sonia Sotomayor and Elena Kagan in upholding the law. As expected, literalist Justices Antonin Scalia, Clarence Thomas and Sam Alito came together in dissent.

President Obama celebrated the decision while also offering to work across the aisle on ACA

improvements. Republicans vowed to continue the repeal effort but without a clear path forward.

Many on Capitol Hill believe that the administration's second win marks the beginning of the end for the Republican repeal effort, and will cause the GOP to turn instead to piecemeal changes to provisions like the medical device tax, which the House voted to eliminate last week and small business issues like the 40 percent "Cadillac" excise tax, the health insurance tax, the "family glitch" and more.

Republicans have also included language to defund the ACA and restrict the use of issuer fees to run the exchanges in their appropriations bills, one of which passed the full House Appropriations Committee while the other was sent for markup in the full Senate Appropriations Committee.