

PRESS RELEASES

Physicians sound alarm on lawsuit threatening preventive care

JUL 25, 2022

CHICAGO — Led by the American Medical Association (AMA), leading medical organizations that represent physicians providing vital preventive health care services to millions of patients with private health plan coverage expressed concern that a federal court case could cause millions of Americans to lose access to preventive services. *Kelley v. Becerra*, a lawsuit before a federal district court judge in the Northern District of Texas, threatens the section of the Affordable Care Act (ACA) requiring insurers and group health plans to cover more than 100 preventive health services —with no cost to consumers. One of the ACA's most popular and widely recognized benefits, the provision resulted in an estimated 151.6 million people receiving free preventive care in 2020 alone.

"With an adverse ruling, patients would lose access to vital preventive health care services, such as screening for breast cancer, colorectal cancer, cervical cancer, heart disease, diabetes, preeclampsia, and hearing, as well as access to immunizations critical to maintaining a healthy population," the organizations wrote. "Our patients cannot afford to lose this critical access to preventive health care services. Rolling back this access would reverse important progress and make it harder for physicians to diagnose and treat diseases and medical conditions that, if caught early, are significantly more manageable."

The joint statement sounding alarms about this threat to preventive services was signed by 61 organizations.

The full statement is below:

The undersigned medical associations and societies represent practicing physicians who provide vital preventive health care services to millions of patients. We are extremely concerned that a case before a federal judge in the Northern District of Texas could significantly jeopardize the coverage of preventive health care services for millions of Americans with private health insurance and reverse positive trends in patient health achieved by the early detection and treatment of diseases and other medical conditions.

The Court scheduled a July 26, 2022, hearing to determine the constitutionality of section 2713 of the Affordable Care Act (ACA), which requires non-grandfathered group health plans and health insurance issuers to provide coverage for preventive health care services without patient cost-sharing. For more than a decade, expanded coverage of preventive health care services has made an enormous positive impact on patient health. This court case jeopardizes that progress.

With an adverse ruling, patients would lose access to vital preventive health care services, such as screening for breast cancer, colorectal cancer, cervical cancer, heart disease, obesity, diabetes, preeclampsia, and hearing, as well as well child visits and access to immunizations critical to maintaining a healthy population.

Research shows that, since the enactment of the ACA, millions of patients have benefitted from increased access to preventive health care services without cost-sharing. For example, a January 2022 [report](#) from the U.S. Department of Health and Human Services (HHS) found that more than 150 million people with private insurance—including 58 million women and 37 million children—can receive preventive services without cost-sharing under the ACA. Additionally, the report showed the ACA increased colon cancer screening, vaccinations, use of contraception, and chronic disease screening and [studies](#) have shown a reduction in racial and ethnic disparities in the use of preventive care since the ACA was enacted.

Our patients cannot afford to lose this critical access to preventive health care services. Rolling back this access would reverse important progress and make it harder for physicians to diagnose and treat diseases and medical conditions that, if caught early, are significantly more manageable.

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Obesity Medicine Association
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About the American Medical Association

The American Medical Association is the physicians' powerful ally in patient care. As the only medical association that convenes 190+ state and specialty medical societies and other critical stakeholders, the AMA represents physicians with a unified voice to all key players in health care. The AMA leverages its strength by removing the obstacles that interfere with patient care, leading the charge to prevent chronic disease and confront public health crises and, driving the future of medicine to tackle the biggest challenges in health care.

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