

Attorney General Denn, 15 Other AGs Seek To Join Case To Protect Affordable Healthcare For Millions of Americans

Officials Intervene in Pending Case to Ensure Effective Defense Of Affordable Care Act

Attorney General Matt Denn on Thursday joined legal action to protect health care access for millions of Americans by having states take up the defense of a critical portion of the Affordable Care Act. Attorney General Denn moved to intervene in a lawsuit filed by U.S. House of Representative Republicans, a motion that includes California, New York, Connecticut, Delaware, Hawaii, Illinois, Iowa, Kentucky, Maryland, Massachusetts, Minnesota, New Mexico, Pennsylvania, Vermont, Washington state and the District of Columbia.

The lawsuit, House v. Price, would eliminate the stable funding, called cost-sharing reduction payments that the law created to protect millions of working families from high healthcare costs. The Kaiser Family Foundation projects premiums will increase by 19% on average across the country to compensate if there is a loss of the subsidy payments, finding that the premium increases would be 21% in states that have not expanded Medicaid.

“Since its enactment, the Affordable Care Act has provided access to health insurance previously unaffordable or unavailable to thousands of Delawareans. Preserving the CSR payments is critical to help ensure thousands of Delawareans retain meaningful access to health insurance, and to avoid

additional spending on health care borne by the Delaware state government due to a rise in the number of uninsured Delawareans,” Attorney General Denn said. “In 2016, 42.9 percent of Delaware’s marketplace enrollees were eligible for CSR payments, saving these individuals approximately \$1,134 per person, for a total cost savings in Delaware of \$13.7 million.”

House Republicans sued the Secretary of the Department of Health and Human Services during the Obama administration, challenging the legality of making the cost-sharing subsidies. A district court judge ruled in favor of the House Republicans, but the ruling was appealed in order to protect access to healthcare, and the subsidies were permitted to continue pending appeal. After the presidential election, the House Republicans requested that the case be held in suspension while the newly-elected President Trump had time to make decisions regarding the case. Based on the President’s statements about his desire to end the ACA, the state AGs are intervening in the case in order to defend the healthcare system.

“I support the ACA and the healthcare it is providing to Delawareans and Americans,” Attorney General Denn said. “If the President is not willing to defend it in court, the states must step in and do so, and that is why I have joined my colleagues in other states in seeking to intervene in this case.”

Attorney General Denn recognized Insurance Commissioner Trinidad Navarro and Deputy Attorneys General Sarah Goncher, John Taylor and Jessica Willey for contributing to Delaware’s work on the motion to intervene.

A copy of the motion can be found [here](#).