



FIRST FRIDAY FORUM

November 6, 2020

ACA LITIGATION

Supreme Court will hear case on ACA constitutionality Nov. 10th.

Issue

- Challenge to ACA after Tax Cut and Jobs Act of 2017 “zeroed out” individual mandate penalty: (1) Without the penalty, is individual mandate still valid under Congress’ taxing authority? (2) If not, is individual mandate severable from rest of ACA?

Background

- Lower court held that zero-penalty individual mandate was unconstitutional, and rest of ACA not severable
- Fifth Circuit agreed parts of ACA may be unconstitutional, but remanded for severability and applicability analysis

Status

- SCOTUS oral argument Nov. 10th
- NoHLA co-submitted [amicus brief](#)
- Decision expected by June 2021
- Uncertainty about SCOTUS composition could affect outcome
- ACA remains in effect pending resolution

FAMILY PLANNING ONLY

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Medicaid denial is no longer necessary to access FPO services!

- HCA recently finalized new rules that allow applicants to make an “informed choice” to not apply for full Medicaid coverage
 - People who know they are not eligible due to immigration status restrictions can access FPO services without burdensome Medicaid denial process
 - New application is being developed, possibly two separate applications, waiting for more info from HCA

HEALTH EQUITY FOR IMMIGRANTS CAMPAIGN

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NoHLA, El Centro de la Raza, WAISN, with support from ACLU have partnered to work on health equity for immigrants. Launched in Sept. 2020 with 3 focus areas:

Education

Identifying gaps

Policy/legislative initiatives

HEALTH EQUITY FOR IMMIGRANTS DISCUSSION

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Care/services
most difficult
to access

Barriers to
accessing
care

Priority
groups

RESOURCES

- NoHLA immigrant access to health care page - <https://nohla.org/index.php/immigrants-access/subscribe?u=ceb7d3697a151952408ae573a&id=9509567ac1>
- WAISN health access survey - https://waisn.sjc1.qualtrics.com/jfe/form/SV_6tHMKmXqFGZ4wnP

QUESTIONS & ANSWERS



Thank You!

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