



Citizens' Council for Health Freedom

Health Freedom Minute

November 16, 2020

ACA Lawsuit Heard by SCOTUS

On November 10, the U.S. Supreme Court heard the latest lawsuit against the Affordable Care Act. In 2012, Chief Justice Roberts saved the ACA by declaring the mandate to purchase health insurance constitutional because he deemed the penalty as a tax under the taxing authority of the Constitution.

In 2017, Congress zeroed out the penalty so it is no longer bringing in taxes, yet the mandate is still the law of the land. As I listened online, it was unclear how they will rule. It's possible the mandate could be struck down. Then the court must decide whether the entire law is struck, because it has no severability clause allowing an unconstitutional provision to be severed from the rest of the law. Thus, a Texas judge ruled the entire law invalid. Expect a ruling in June 2021.

“Health Care Law Supreme Court Oral Argument,” C-SPAN, November 10, 2020 (AUDIO): <https://cs.pn/3kp0vB2>

Presented daily by Twila Brase, President and Co-founder
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*The Health Freedom Minute is now heard in 48 states:
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