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Minority Veterans of America Signs on to Amicus Brief to U.S. Supreme Court in Challenge to ACA: California v. Texas

[Seattle, WA – May 14, 2020] Minority Veterans of America (MVA) has joined The National Women’s Law Center, National Partnership For Women & Families, Black Women’s Health Imperative, American Medical Women’s Association, and 76 additional organizations to support California’s defense of the Affordable Care Act in California v. Texas . The case centers on the damage to the Affordable Care Act when the Tax Cuts and Jobs Act of 2017 rendered the “individual responsibility provision” of the ACA void. Shortly thereafter, anti-ACA-policymakers and the state of Texas sought to use the zeroing of the “individual responsibility provision” to challenge the ACA in its entirety.

The consequences of striking down the ACA to women and children, more particularly families of color, would be catastrophic. While both women and men experience the burden of high insurance premiums, co-payments, deductibles, and health care costs in general, the expenditures can be exceptionally burdensome for women. On average, women, especially those with children, earn lower wages and have fewer financial assets which lead to higher rates of poverty and less, if any, accumulated wealth. Poorer communities are at higher risk of and subject to poorer health outcomes.

“Veterans account for over 18 million people in the United States, only half of which receive their care through the VA. Many minority veterans who do not use VA for care, chose not to due to historic mistrust of the system and the toxic culture for minorities that is pervasive in the institution,” said Lindsay Church, a Navy veteran and MVA Executive Director. “Eliminating the ACA which serves as the only viable access to healthcare for some would have devastating impacts on the vulnerable communities that we serve who already disproportionately experience economic insecurity and health disparities.”

Many veterans do not qualify for health insurance through the Department of Veterans Affairs. Prior to the ACA, nearly one in every ten nonelderly veterans was uninsured, but after implementation, that number dropped by an astounding 36 percent. This increase is largely credited to the increase in Medicaid enrollment by way of Medicaid expansion, and affordable options through the ACA Marketplace. Should the ACA cease to exist, those who have obtained coverage are subject to lose access to health care.

The brief illustrates ways in which women and their families have experienced better health and economic outcomes since the implementation of the ACA and its protections against sex discrimination in health care. It makes clear the fact that women and their children will bear the social, economic, physical, and emotional brunt of the repercussions should the ACA be stricken down. The brief also explains that in 2017, in passing the Tax Cuts and Jobs Act, Congress did not intend to affect any piece of the ACA other than the amount taxed for the individual responsibility provision. This case is especially critical given the global COVID-19 Pandemic and looming economic recession that has and will continue to hit minority communities the hardest.

An upload of the amicus brief can be found at https://www.supremecourt.gov/DocketPDF/19/19-840/143475/20200513154042300_NWLC%20ACA%20Amicus%20Brief%20Final.pdf

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Minority Veterans of America (MVA) is a non-partisan, non-profit organization that was designed to create belonging and advance equity for underrepresented veterans, including womxn, people of color, LGBTQ, and religious minorities. The organization aims to transform the narrative of the American veteran by building an interconnected community, fostering greater understanding of our memberships' identities, and serving minority veterans through the development of targeted programming and advocacy. For more information, visit www.MinorityVets.org.