



FOR IMMEDIATE RELEASE: April 21, 2020

Contact: Hilary Nemchik at
hnemchik@sandiego.gov or (619) 533-6176

City Moves to Protect Affordable Care Act during COVID-19 *Joins other cities throughout nation to defend ACA against attempt to invalidate it*

City Attorney Mara W. Elliott today praised the San Diego City Council for voting to join an amicus brief in defense of the Affordable Care Act (ACA), which has significantly reduced the uncompensated costs local governments would otherwise bear, enabling local governments to better spend taxpayer dollars on critical government functions.

“The loss of the Affordable Care Act would imperil our health care system and have devastating consequences on our local economy,” City Attorney Mara W. Elliott said. **“Depriving Americans of health care coverage, particularly when the coronavirus is killing vulnerable Americans by the thousands, lacks logic and compassion. The City Council was right to speak up for the health of our citizens and our economy.”**

The amicus brief by local governments will be filed in the United States Supreme Court in the consolidated cases *California v. Texas*, No. 19-840 and 19-1019. The City is joining a defense of the ACA spearheaded by the State of California in concert with the states of Connecticut, Delaware, Hawaii, Illinois, Kentucky, Massachusetts, Minnesota, New Jersey, New York, North Carolina, Oregon, Rhode Island, Vermont, Virginia, and Washington, and the District of Columbia.

On the other side is a Texas-led coalition of states that sought to strike down the landmark law in 2018, arguing that it was unconstitutional because Congress had gutted one of its provisions, the individual mandate, in 2017. A Fort Worth judge and then the New Orleans-based U.S. Fifth Circuit Court of Appeal agreed and sent the case back to Texas to determine which parts of the ACA, if any, will survive. The Fifth Circuit’s decision is now on appeal to the Supreme Court. Cities must sign-on to the brief by May 5 in order to meet the May 13 filing deadline.

Santa Clara County and the City of Chicago asked the City to join the amicus brief earlier this month. The cities of New York, Los Angeles, Houston, Seattle, Minneapolis, Pittsburgh, San Francisco, Portland, and El Paso have already joined the effort. The amicus brief will voice deep concern with invalidation of the ACA, and illustrate the unique and devastating harms that local governments would suffer from judicial invalidation.

###

Recent City Attorney media releases can be accessed on the San Diego City Attorney’s home page located on the Internet at <https://www.sandiego.gov/cityattorney>

1200 Third Avenue, Suite 1620, San Diego, California 92101-4188 (619) 236-6220