

Braidwood Management Inc. v. Becerra

Fight Colorectal Cancer is grateful that yesterday, the federal government and the plaintiffs in Braidwood v. Becerra reached a compromise that was approved by the 5th Circuit Court of Appeals. While the case continues, the freeze on Judge O'Connor's ruling will remain in place and nationwide, employers and insurers must fully cover preventive health services. However, the plaintiffs in the case will not have to cover HIV prevention medication or any services that the U.S. Preventive Services Task Force recommended from since the ACA was signed into law for their employees.

Update

Last month, the 5th Circuit Court of Appeals temporarily blocked the U.S. district court's ruling that struck down the ACA's preventive health care coverage requirement which would impact over 100 million privately insured Americans nationwide. After hearing arguments from the plaintiffs and the federal government on whether to lift the freeze on a decision halting the ACA preventive services provision, **today the 5th circuit ruled to continue the freeze.** The stay will protect the public and ensure that preventive services, like cancer screenings, remain cost-free for patients while Braidwood v. Becerra continues to move through the appeals process.

Wait, What's Happening?

In March, Judge Reed O'Connor of the U.S. District Court for the Northern District of Texas ruled that the preventive care requirements under the Affordable Care Act (ACA) is unconstitutional. The ACA preventive services provision requires insurers to remove patient cost sharing for preventive services that received an A or B rating by the U.S Preventive Services Task Force (USPSTF). **By removing this requirement, patients may now receive a bill for the over 100 preventive health services, including cancer screenings like colonoscopies,** that were previously covered under the ACA. There are already over 20 million Americans eligible for colorectal cancer screening who have not been screened. This ruling will create further barriers to patients and limit access to life saving preventive screenings and services.

In May, the federal government appealed Judge O'Connor's decision and it is expected that there will be a long appeal process that will eventually bring the case before the U.S. Supreme Court.