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APCA Joins Amicus Brief To Protect Health Care Access In King V. Burwell

Arizona – Today, Asian Pacific Community in Action, along with the Asian & Pacific Islander American Health Forum, filed an amicus brief (“friend of the court”) in King v. Burwell defending the availability of the Affordable Care Act’s tax credits nationwide. The King case is pending before the U.S. Supreme Court and scheduled for oral argument on March 4.

Asian Pacific Community in Action joined the brief as a member of Action for Health Justice, the only national coalition dedicated to ensuring Asian Americans, Native Hawaiians and Pacific Islanders (AA and NHPI) realize the benefits of the new health law. Since 2013, Action for Health Justice has worked to outreach, educate and enroll 600,000 AAs and NHPIs in their new health coverage options.

“This case has the potential to undermine all the work we have done to enroll thousands of AA and NHPIs in Arizona,” said Lloyd Asato, Executive Director of APCA. “Tax credits for low-income and moderate income families is a critical part of lowering the cost of health care and ensuring families have continuous insurance coverage that meets their needs. If the lawsuit is successful, Arizona families will be back where they started – without the necessary means to live healthy prosperous lives.”

The brief details the lack of coverage options and lingering health disparities facing AA and NHPIs that supported the ACA’s passage. Prior to the law, nearly one in seven AA and NHPIs were uninsured and even more were underinsured. The ACA sought to remedy that by substantially expanding access to health insurance for middle- and low-income people by providing tax credits to make them affordable. This is the express purpose of the ACA and supported by the law’s text.

Limiting the ACA’s tax credits only to state-run Marketplaces, as the challengers argue, threatens to erode coverage expansions for the hundreds of thousands of AAs and NHPIs that have gained coverage. Currently, the 34 states that rely on the federal Marketplace would be directly affected by the King decision, including Arizona. Over 120,000 Arizonans could potentially lose coverage. The brief includes stories from people who would suffer life-threatening consequences without coverage, including Layal Rabat, a non-profit worker living in Arizona. Without the ACA’s tax credits that made her coverage affordable, Layal would have had to choose between putting food on the table or paying for preventive health care – a predicament that will become increasingly more difficult to manage.

Zeenat Hasan, Director of Empowerment and Advocacy at APCA, says, “In Arizona, a work force of community volunteers have worked tirelessly to enroll and counsel families to find and sign up for health insurance through the Federal Health Insurance Marketplace. APCA alone has assisted 2,500 people in AA and NHPI communities across Arizona who have stepped up to learn about and enroll in health insurance. If King is successful in taking away tax subsidies for people in states like AZ, all of these individuals and families risk losing coverage and the ability to cover the cost of care, face bankruptcy, delay seeing a doctor, or forego care all together even for the most basic preventive health needs.” Sixty-three community and health organizations signed onto the brief.

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