



# Fact Sheet

COMMITTEE ON EDUCATION & LABOR

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The Hon. Bobby Scott • Chairman

## 5 Ways the *Texas v. U.S.* Case Threatens the Coverage You Get From Your Job

Republicans continue to work to undermine the Affordable Care Act (ACA), specifically by targeting protections which allow people to obtain affordable coverage regardless of health status. After voting to take away protections for people with pre-existing conditions in their Trumpcare bill, Republicans are waging a court battle to dismantle these protections, putting in dire peril the health care of over 130 million Americans.

On December 14<sup>th</sup>, Republicans got closer to their wish when a Northern Texas District Court sided with Republican Attorney Generals and Governors in 20 states and [invalidated the ACA in its entirety](#). With this ideologically-driven decision, the administration and Republicans in Congress are attempting to accomplish through the courts what they could not do in Congress – repeal the ACA, end protections for people with pre-existing conditions, and take health care away from millions of Americans.

### #1 – Workers with Pre-existing Conditions Could See Protections Disappear

The ACA prevents an employer from refusing to cover certain health care services based on pre-existing conditions. The *Texas* case would once again allow certain conditions to be excluded from coverage. In 2002, roughly [one in three workers](#) were covered by a health plan that had exclusions.

### #2 – Workers Could Once Again Face Annual and Lifetime Limits for Coverage

Workers with job-based coverage are currently protected from annual and lifetime limits in their coverage, ensuring they can access care that they need when they need it. The *Texas* case could undo the guaranteed prohibition against caps on coverage.

### #3 – Workers at Small Businesses Could Lose Access to Comprehensive and Affordable Coverage

The case specifically targets small businesses and threatens their ability to get affordable and comprehensive coverage for their workers. By targeting what is known as the “community rating” requirement, small businesses – particularly those with older or sicker workers or owners – could be left out in the cold with no affordable insurance options.

### #4 – Workers Could See Less of Their Premiums Go Toward Their Actual Care

Current law limits the percentage of a worker’s premium that can go toward non-health care related costs, such as CEO bonuses and corporate jets. The *Texas* case would undo this protection, meaning workers could see a huge portion of their premiums go toward the insurance company’s profit margin and not their actual health care.

### #5 – Workers Could Have Less Access to Life Saving Preventive Care

Currently, workers with job-based plans can access a range of preventive services, such as immunizations, without having to pay anything out-of-pocket. The *Texas* case threatens to take this benefit away.