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NEWS RELEASE



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ANA to Supreme Court: ‘Individual Mandate’ Needed to Make Health Reform Work

SILVER SPRING, MD – The American Nurses Association (ANA) joined five other health care groups representing millions of health care professionals in filing an *amicus* brief with the U.S. Supreme Court in support of the Affordable Care Act’s (ACA) “minimum coverage provision.” Registered nurses are frontline witnesses of the harmful health effects on individuals who are uninsured and defer needed care, and have a unique perspective to guide the Court regarding the consequences of removing the provision.

“I saw it every day in the emergency department, and the situation hasn’t changed. Uninsured people who don’t have access to care show up with a health crisis that could have been caught earlier or prevented altogether,” said ANA President Karen A. Daley, PhD, MPH, RN, FAAN, who worked in emergency nursing for more than 26 years.

The cost of this uncompensated care is distributed to other patients or to government health programs such as Medicare or Medicaid. According to one study, this cost shifting adds, on average, \$410 to each individual insurance premium and \$1,100 to each family premium. “We need to preserve the provision in the law that spreads risks and costs fairly and allows us to provide more effective, less expensive health care for all Americans,” Daley said.

The likelihood that a patient will receive adequate preventive care or early treatment is directly related to whether the patient is insured. Robust data demonstrates that uninsured patients' diminished access to care causes their medical conditions to deteriorate and the cost of their subsequent care to increase dramatically. For example, five-year survival rates for uninsured adults were significantly lower than for privately insured adults diagnosed with breast or colorectal cancer — two prevalent cancers for which there are effective screening tests and treatments demonstrated to improve survival.

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ANA contends that many of the fundamental reforms provided by the ACA, such as prohibiting denial of health insurance based on pre-existing conditions, greatly improve access to health care. These patient protections will not be feasible financially without a minimum coverage provision. The provision is essential to the ACA's goal to make health insurance universally available and affordable. ANA believes that health care is a basic human right, and that all individuals should have access to essential health care services.

The minimum coverage provision, also referred to as the "individual mandate," requires that nearly all Americans either carry health insurance or pay a tax penalty. It has been challenged as unconstitutional in federal courts around the country. In March, the Supreme Court is scheduled to hear oral arguments on whether the provision is a valid exercise of Congress' power.

[ANA's amicus \(friend of the court\) brief](#) is in support of the U.S. Department of Health and Human Services, a petitioner in the Supreme Court case. The case results from a divided court of appeals ruling affirming a Florida district court decision that struck down the minimum coverage provision.

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The ANA is the only full-service professional organization representing the interests of the nation's 3.1 million registered nurses through its constituent and state nurses associations and its organizational affiliates. The ANA advances the nursing profession by fostering high standards of nursing practice, promoting the rights of nurses in the workplace, projecting a positive and realistic view of nursing, and by lobbying the Congress and regulatory agencies on health care issues affecting nurses and the public.