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Columbus Case Against Trump Administration's Sabotage of the Affordable Care Act Moves Forward

Federal court says Trump administration must defend its attempts to gut Americans' access to ACA

Baltimore, MD — Columbus City Attorney Zach Klein announced that a federal court [rejected](#) the Trump administration's attempt to dismiss a lawsuit challenging its unlawful sabotage of the Affordable Care Act.

“The Trump administration will now have to defend in court its policies to dismantle the Affordable Care Act,” said City Attorney Klein. **“The impact of the administration's sabotage has never been more deeply felt and our communities are suffering. We will continue fighting to hold the administration accountable to ensure Americans have access to health care coverage.”**

Columbus, the lead plaintiff in the case, was joined by Baltimore, Cincinnati, Chicago and Philadelphia, as well as residents of Charlottesville, Virginia when it sued the Trump administration to challenge policies that eliminate protections guaranteed by the ACA, increase premiums, and drive up the uninsured rate. In Friday's ruling, the Court explained that the plaintiffs **“sufficiently allege[d] that Defendants' actions ... caused their asserted harms.”**

The decision comes at a time when its [estimated](#) that as many as 1.5 million Americans have already lost their health care coverage due to unemployment during the coronavirus pandemic. Based on Federal Reserve estimates, that number could increase to 7.3 million uninsured by the end of June. This number does not include the 27 million Americans who were already uninsured before the threat of coronavirus. So far, the Trump administration has refused to reopen ACA exchanges and has provided little guidance for uninsured Americans.

“Even now, as millions of Americans have lost and will lose their health insurance during this global pandemic, the Trump administration is making it hard for people to access coverage,” said City Attorney Klein. **“This heartless refusal to act truly underscores our argument. Trump's**

effort to further his political agenda and gut the ACA at a time when so many Americans are vulnerable, sick and dying is unconscionable.”

In its decision, the court ruled that the case could proceed on the plaintiffs’ challenge to the Trump administration’s 2019 Notice of Benefit and Payment Parameters, a rule that governs how health insurance exchanges operate. Multiple provisions of the 2019 Rule serve to weaken ACA exchanges, drive up premiums, and force out health insurers, ultimately increasing the rate of the underinsured and uninsured. The court found that the cities **“fairly tie[d]”** the Trump administration’s actions **“to the harm alleged.”** While the court dismissed the plaintiffs’ Take Care Clause claim, it did not, however, hold that the Trump administration’s efforts to sabotage the ACA were lawful, and the case will move forward.

The suit was [filed](#) in August 2018 and [amended](#) in January 2019. In June 2019, the U.S. House of Representatives, 20 states, 13 municipalities, four advocacy groups, and health insurance experts all filed [briefs supporting](#) our lawsuit and opposing the federal government’s efforts to dismiss the case.