

35 Health Advocacy Groups Urge the Supreme Court to Protect Preventive Care

Cancer, HIV and other health groups file amicus brief in “Braidwood v. Becerra” about preventive services provided without cost-sharing.

November 4, 2024 By American Cancer Society Cancer Action Network

[On October 21] 35 organizations, representing millions of patients with serious health conditions and thousands of health care professionals, filed an amicus curiae, or “friend-of-the-court,” [brief](#) in the case of Braidwood v. Becerra at the U.S. Supreme Court. The amicus brief supports the government’s petition for certiorari in the case, providing extensive scientific data demonstrating that preventive services save lives and are cost-effective. At the crux of the case is a provision of the Affordable Care Act (ACA) that requires most insurers cover preventive services recommended by the United States Preventive Services Task Force (USPSTF) without cost-sharing by patients.

The body of evidence in the brief includes a study recently released by the American Cancer Society which found if the district court ruling in Braidwood was upheld, there will be increases in colorectal cancer incidence and mortality largely attributed to lower screening participation. Research has proven that any cost-sharing can be a deterrent to accessing proven prevention and early detection and [recent survey data](#) has shown that even motivated cancer survivors would be less likely to access recommended screenings. Reinstating costs will lead to delays or cancelled services and will create massive barriers to preventive care for patients who regularly access such services. The brief requests that the Supreme Court take the case to consider reversal of the court of appeals’ decision as to the constitutionality of the provision relating to the USPSTF.

Below is an excerpt from the [brief](#):

“The ACA preventive services provision requiring private insurers cover USPSTF-recommended services without cost sharing increases patients’ ability to receive care that can prevent disease outright, identify illnesses early, and reduce the physical and financial burdens of treating severe illnesses. Detecting severe diseases early allows for less invasive, more effective, and lower-cost treatment options, and substantially improves patient outcomes. The ACA’s preventive-care requirements have functioned for more than ten years, enabling millions of Americans to obtain preventive care without cost-sharing and improving utilization of these vital services nationwide. Reducing insurance coverage for preventive services will lead to worsening patient outcomes,

leading to preventable deaths, and creating higher long-term medical costs.

“The court of appeals decision threatens to drastically reduce insurance coverage for USPSTF-recommended services, deter utilization of those services, worsen patient outcomes, and potentially increase costs. If fully implemented, it will substantially harm the patients that amici treat, serve, and support.”

List of organizations:

- American Academy of Family Physicians
- American Academy of Ophthalmology
- American Academy of Pediatrics
- American Cancer Society
- American Cancer Society Cancer Action Network
- American College of Chest Physicians
- American College of Obstetricians and Gynecologists
- American College of Occupational and Environmental Medicine
- American College of Physicians
- American Kidney Fund
- American Medical Association
- American Medical Women’s Association [ca](#)
- American Osteopathic Association
- American Psychiatric Association
- American Society for Gastrointestinal Endoscopy
- American Society of Clinical Oncology
- American Thoracic Society
- Arthritis Foundation
- Cancer Support Community
- Crohn’s and Colitis Foundation
- Cystic Fibrosis Foundation
- Epilepsy Foundation of America

- GLMA: Health Professionals Advancing LGBTQ+ Health
- Hemophilia Federation of America
- Infectious Diseases Society of America
- National Hispanic Medical Association
- National Medical Association
- National Minority Quality Forum
- National Multiple Sclerosis Society
- National Patient Advocate Foundation
- Society for Maternal-Fetal Medicine
- Society of Laparoscopic and Robotic Surgeons
- The AIDS Institute
- The Leukemia & Lymphoma Society
- Undersea and Hyperbaric Medical Society

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