

For Immediate Release

Thursday, February 16, 2012

Washington, DC - Today, the National Health Law Program (NHeLP), joined by 38 prominent organizations of health care providers, consumers, and local officials from around the nation, filed an amicus brief before the United States Supreme Court supporting the Affordable Care Act's (ACA) Medicaid expansion. The ACA expands the Medicaid program to cover eligible persons up to 133% of the federal poverty level.

"For over forty-five years, Medicaid has served as our nation's health safety net, providing access to health care for millions of low-income individuals," said Emily Spitzer, NHeLP executive director. "The ACA continues this rich history by extending Medicaid eligibility to an additional 16 million people and providing them with access to health care they otherwise would not be able to afford."

NHeLP's brief examines the history and structure of the Medicaid program from its enactment, and places the ACA in this historical and legal context. Since 1965, Medicaid has operated as a voluntary joint partnership between states and the federal government. While Congress has amended the program a number of times to respond to changing needs and to ensure program integrity, Medicaid's core framework has not changed and is not altered by the ACA. As Jane Perkins, NHeLP legal director noted, "Our brief demonstrates that the ACA's expansion is consistent with both the history and purpose of the program."

In addition, the brief counters arguments by opponents that the ACA's expansion is coercive. Medicaid is - and has always been - voluntary for states. Other than meeting minimum federal requirements, states have considerable flexibility in how they manage their programs. While the ACA expands the number of persons eligible for Medicaid starting in 2014, states will receive a generous federal match - initially 100% - for individuals in this expansion population.

The NHeLP amicus brief is available [here](#) . The Supreme Court will hear oral arguments for and against the ACA on March 26th - 28th. The challenge to the Medicaid expansion is scheduled for March 28th.

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