Patient Groups Urge Fifth Circuit to Maintain Access to No-Cost Preventive Care in Braidwood Case Amicus Brief

MILLIONS HAVE BENEFITED FROM THE PATIENT PROTECTION; BARRIERS WOULD LEAD TO WORSE HEALTH OUTCOMES

June 27, 2013

WASHINGTON, D.C. — June 27, 2013 — Today, patient groups representing millions of individuals with serious health conditions filed an amicus curiae (or friend of the court) brief in the case of Braidwood v. Boccoma in the U.S. Court of Appeals for the Fifth Circuit in support of the Department of Justice (DOJ)’s defense of the Affordable Care Act (ACA) provisions requiring private insurers provide coverage of certain evidence-based preventive services without cost-sharing. The amicus brief provides extensive scientific data to the appeals court demonstrating that preventive services save lives and are cost-effective, as well as examples of how the cost-free services that would be lost for many patients if the lower court’s decision is upheld.

Earlier this month, patient groups applauded the Fifth Circuit’s approval of a stay of the remedy ordered by the U.S. District Court, maintaining continued access to cost-free preventive service coverage while the case is deliberated.

The groups, including the American Cancer Society Cancer Action Network, Arthritis Foundation, American Kidney Fund, Cystic Fibrosis Foundation, The Leukemia & Lymphoma Society, The National Multiple Sclerosis Society, and The AIDS Institute (full list below), issued the following statement on today’s filing:

“Cost-free access to preventive and early detection services is critical to the health of millions of people across this country, providing individuals with the best chance at early intervention and, for those diagnosed, survival of a serious illness or disorder. Access to no-cost prevention care has increased utilization of lifesaving prevention screenings and services, allowing for more effective and less costly treatment options that significantly improve one’s chances of surviving a serious health condition.

“We remain concerned about the far-reaching consequences of the District Court’s decision that could undermine years of progress on prevention, early detection and disease management. The critical avenues created by the ACA provisions in question has significantly reduced the physical and financial burden of treating serious illnesses in this country, particularly in reducing costs to the individual and the U.S. healthcare system as a whole.

“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. Reinstituting costs will lead to delays or cancelled services and will no doubt create massive barriers to preventive care for the 150 million individuals who regularly access such services.

“On behalf of the millions of patients we serve, we continue to advocate for the Fifth Circuit to uphold the rights of individuals’ access to no-cost, evidence-based preventive services as required under the ACA.”

The full list of groups who joined the amicus are as follows: American Cancer Society, American Cancer Society Cancer Action Network, American Kidney Fund, Arthritis Foundation, CancerCare, Cancer Support Community, Crohn’s & Colitis Foundation, Cystic Fibrosis Foundation, Epilepsy Foundation, Hemophilia Federation of America, The Leukemia & Lymphoma Society, National Multiple Sclerosis Society, National Patient Advocate Foundation, The AIDS Institute, and Transparence.

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