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ADMINISTRATION RECOMMENDS ONLY TWO SECTIONS OF PPACA BE OVERTURNED IF SCOTUS RULES UNCONSTITUTIONAL

The Department of Justice (DOJ) has recommended to the Supreme Court of the United States (SCOTUS) that only the provisions of the Patient Protection and Affordable Care Act (PPACA) that require insurers to accept everyone regardless of health status and to apply "community rates" be overturned if the Justices rule that the law's mandate is unconstitutional.

These two sections have been heavily debated political and legal questions since the enactment of PPACA. The DOJ argued that other provision can operate independently and would still advance Congress's core goals of expanding coverage, improving public health, and controlling costs even if the minimum coverage provisions were held unconstitutional.

While these two provisions have not been a critical issue for long-term care (LTC) providers, PPACA contains many provisions that do affect LTC providers and have already been implemented. Should the SCOTUS rule these provisions unconstitutional, the sections affecting LTC providers would likely remain unchanged.

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