



Health Groups Line Up Almost Unanimously In Favor Of Health Reform In The Supreme Court

By **Ian Millhiser** on Feb 21, 2012 at 5:30 pm

Friday marked the final deadline for amicus briefs discussing the constitutionality of the Affordable Care Act in the Supreme Court, and a pattern that has proven true throughout this litigation repeated itself once again — organizations with real, on the ground expertise in health care lined up almost entirely in support of the law. Amici on the pro-health reform side include health provider groups such as the American Academy of Pediatrics and the American Nurses Association, patient groups such as the March of Dimes, the American Cancer Society, the American Diabetes Association, and the American Heart Association, and hospital groups such as the American Hospital Association, the Association of American Medical Colleges, and the Catholic Health Association of the United States.

The anti-ACA side, however, includes a very different list of groups:

- **Right-Wing Think Tanks:** The Cato Institute, a radical group which believes that Medicare is unconstitutional, filed numerous briefs on the side of the plaintiffs in this lawsuit. They are joined by other conservative think tanks such as the Pacific Research Institute, the Rutherford Institute and the Texas Public Policy Foundation in opposing the law.
- **Right-Wing Legal Groups:** Also weighing in against the law are conservative law firms such as the Institute for Justice, the American Center for Law and Justice and the Landmark Legal Foundation.
- **Republican Lawmakers:** Sen. Rand Paul (R-KY), who also believes that Medicare is unconstitutional, makes an appearance in his own amicus brief. He is joined in other briefs by Republican luminaries like Speaker John Boehner (R-OH) and, indeed, much of the Senate GOP caucus.
- **Other Anti-ACA Plaintiffs:** Numerous plaintiffs from other lawsuits challenging the ACA also filed briefs. They include groups such as the Thomas More Law Center and, of course, Virginia Attorney General Ken Cuccinelli (R).
- **Nullificationists:** Several supporters of unconstitutional state laws attempting to nullify the Affordable Care Act also filed a brief. No word on whether they will also attempt to secede from the union if the ACA is upheld.
- **Other Random Conservative Groups:** It is not entirely clear what stake the Montana Shooting Sports Association has in this lawsuit. Nevertheless, they filed a brief.

This is not to say, of course, that progressive groups and Democratic lawmakers didn't also weigh in in favor of the law. Nor is it to say that health groups were entirely absent from the conservative side — they just weren't particularly well represented either in numbers or in quality. The Association of American Physicians and Surgeons, a small conservative medical group best known for publishing an article falsely claiming that undocumented immigrants were bringing an epidemic of leprosy into the United States, filed a brief. So did a group of six anti-abortion health provider groups. Unless additional briefs become public that are not already available, however, it appears that every brief filed by a non-ideological health group supports the law.