

Texas v. United States: What's at Stake for the Latino Community?

Since the implementation of the Affordable Care Act (ACA), over 20 million Americans, including at least four million Latino adults and 600,000 Latino children, have gained coverage, and millions more have benefited from important consumer protections.¹ The Texas v. United States lawsuit seeking to repeal the ACA by challenging the constitutionality of the law would have a significant negative impact on the Latino community. If the ruling is upheld in the higher courts, the Latino community would suffer tremendous harm, including:

The number of uninsured Latinos would soar, and historic coverage gains would be reversed.

- An estimated 5.4 million Latinos would become uninsured.²
- The Latino uninsured rate, the highest of any racial or ethnic group, would increase by 10 percentage points (21 percent to 31 percent).^{3,4}
- 913,000 Latino young adults between the ages of 19 and 26 who are covered under their parents' plan would lose their health coverage.⁵

Critical consumer protections, including those for people with pre-existing conditions, would be eliminated.

- Between 8-20 million Latinos living with pre-existing conditions could be denied health coverage.⁶
- Insurers could cancel or refuse coverage for people living with pre-existing conditions, including Latinos who are more likely to live with cancer, diabetes and HIV/AIDS than whites.^{7,8}
- 80 percent of older adults who gained coverage under the ACA had a pre-existing condition. 54 percent of these adults were Latino.⁹

The ACA's Medicaid expansion provision would be eliminated.

- Over three million Latinos who gained coverage through their state's Medicaid expansion program would lose their health coverage.¹⁰
- 520,000 Latinos living in non-expansion states like Texas and Florida would be denied the opportunity to enroll in Medicaid should their state decide to expand Medicaid.¹¹
- The uninsured rate for Latino parents who are eligible for Medicaid (26.8 percent) would rise and could lead to an increase in the uninsured rate for Latino children eligible for Medicaid (7.1 percent).¹²

Financial help to buy an insurance plan would no longer be available, leaving many without the ability to afford their health insurance.

- The elimination of the ACA's premium tax credits and cost-sharing reductions could cause over 1 million Latinos who selected ACA plans during the last Open Enrollment to lose coverage.¹³
- 17 percent of older adults who received cost-sharing reductions to afford health insurance were Latino.¹⁴

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- 1 Bowen Garrett and Anuj Gangopadhyaya, Who Gained Health Insurance Coverage Under the ACA, and Where Do They Live? (Washington, DC: Urban Institute, 2016).
 - 2 Holahan, John, L. Blumberg, and M. Buettgens, The Potential Implications of Texas v. United States: How Would Repeal of the ACA Change the Likelihood That People With Different Characteristics Would Be Uninsured?, (Urban Institute, Washington, DC: June 2019), available at https://www.urban.org/sites/default/files/publication/100409/qs_txvus_repeal_of_aca_03a_-_near_final_0.pdf, (accessed June 27, 2019).
 - 3 Artiga, S., et al., Changes in Health Coverage by Race and Ethnicity since Implementation of the ACA, 2013-2017. (Washington, DC: Kaiser Family Foundation, 2019). <https://www.kff.org/disparities-policy/issue-brief/changes-in-health-coverage-by-race-and-ethnicity-since-implementation-of-the-aca-2013-2017/> (accessed March 4, 2019).
 - 4 Holahan, John, L. Blumberg, and M. Buettgens, The Potential Implications of Texas v. United States: How Would Repeal of the ACA Change the Likelihood That People With Different Characteristics Would Be Uninsured?, (Urban Institute, Washington, DC: June 2019), available at https://www.urban.org/sites/default/files/publication/100409/qs_txvus_repeal_of_aca_03a_-_near_final_0.pdf, (accessed June 27, 2019).
 - 5 Assistant Secretary for Planning and Evaluation, Report Shows Affordable Care Act Has Expanded Insurance Coverage Among Young Adults of All Races and Ethnicities. Washington, DC, 2012.
 - 6 Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, Health Insurance Coverage for Americans with Pre-Existing Conditions: The Impact of the Affordable Care Act, January 7, 2017, <https://aspe.hhs.gov/system/files/pdf/255396/Pre-ExistingConditions.pdf> (Accessed May 16, 2019).
 - 7 Centers for Disease Control (CDC), "Hispanic Health," (Centers for Disease Control and Prevention, Atlanta, GA: 2015), available at <https://www.cdc.gov/vitalsigns/hispanic-health/index.html>, (accessed June 28, 2019).
 - 8 Office of Minority Health, "Diabetes and Hispanic Americans," (US Department of Health and Human Services, Washington, DC: 2016), available at <https://minorityhealth.hhs.gov/omh/browse.aspx?lvl=4&lvlid=63>, (accessed on June 27, 2019).
 - 9 Glied, Shery and A. Jackson, "Access to Coverage and Care for People with Preexisting Conditions: How Has It Changed Under the ACA?," (Commonwealth Fund, Washington, DC: 2017), available at <https://www.commonwealthfund.org/publications/issue-briefs/2017/jun/access-coverage-and-care-people-preexisting-conditions-how-has>, (accessed June 27, 2019).
 - 10 UnidosUS, "Medicaid Expansion: A Critical Lifeline for Latinos," (UnidosUS, Washington, DC: 2017), available at http://publications.unidosus.org/bitstream/handle/123456789/1740/brieferhealth_medicaidexpansion.pdf?sequence=1&isAllowed=y, (accessed July 1, 2019).
 - 11 Garfield, Rachel, K. Orgera, and A. Damico, "The Coverage Gap: Uninsured Poor Adults in States that Do Not Expand Medicaid," (Washington, DC: Kaiser Family Foundation, 2018), <https://www.kff.org/medicaid/issue-brief/the-coverage-gap-uninsured-poor-adults-in-states-that-do-not-expand-medicaid/>, (Accessed May 16, 2019).
 - 12 Haley, Jennifer, et.al., "Uninsurance and Medicaid/CHIP Participation among Children and Parents," (Urban Institute, Washington, DC: 2018), available at https://www.urban.org/sites/default/files/publication/99058/uninsurance_and_medicaidchip_participation_among_children_and_parents_updated_1.pdf, (accessed July 1, 2019).
 - 13 Centers for Medicare and Medicaid Services (CMS), "Health Insurance Exchanges 2019 Open Enrollment Report," (CMS, Washington, DC: 2019), available at <https://www.cms.gov/newsroom/fact-sheets/health-insurance-exchanges-2019-open-enrollment-report>, (accessed July 1, 2019).
 - 14 Sung, Jane, O. Dean, and C. Noel-Miller, "Health Insurance Cost-Sharing Reductions Are Critical to Ensuring Affordable Health Care for Older Adults," (AARP Public Policy Institute, Washington, DC: September 2017), available at <https://www.aarp.org/content/dam/aarp/ppi/2017/09/csr-fact-sheet.pdf>, (accessed July 3, 2019).