

# Trump Administration's ACA Repeal Suit Stance Is in Line With Its Health Care Agenda



The Administration has sought to distinguish between its health policies and its litigation position urging the courts to strike down the entire Affordable Care Act (ACA). In reality, the lawsuit is another means to the same end the Administration has pursued since inauguration: ACA repeal with no meaningful replacement. This chart compares steps the Administration has taken or tried to take — through its stance in the lawsuit; its executive actions; the House-passed ACA repeal bill it [endorsed](#); and its budgets — and how each would affect the health care system.

		Repeal Lawsuit	Executive Actions	House-Passed ACA Repeal Bill	President's 2019, 2020 Budgets	President's 2021 Budget
<b>Pre-existing conditions</b>	<b>The ACA bans individual market plans from denying coverage or charging higher premiums based on health status</b>	Would end nationwide ban, letting insurers deny coverage and charge higher premiums unless states prohibit it	Created a <a href="#">parallel market</a> that skirts ACA ban, letting insurers deny coverage and charge higher premiums	Would <a href="#">end</a> nationwide ban, letting states let insurers charge arbitrarily high premiums	Would <a href="#">end</a> nationwide ban, letting states let insurers charge arbitrarily high premiums	No plan to reinstate protections if lawsuit prevails
<b>Essential health benefits</b>	<b>The ACA requires that plans cover benefits such as maternity, mental health, prescription drugs</b>	Would end nationwide requirement, letting insurers exclude benefits unless states create their own standards	Created a <a href="#">parallel market</a> that skirts ACA standards, letting plans exclude essential benefits	Would <a href="#">end</a> nationwide requirement, letting states permit skimpier coverage	Would <a href="#">end</a> nationwide requirement, letting states permit skimpier coverage	No plan to reinstate protections if lawsuit prevails
<b>Medicaid eligibility</b>	<b>The ACA expanded Medicaid to low-income adults</b>	Would end Medicaid expansion	Encouraged harsh state policies leading <a href="#">nearly 1 in 4</a> people to lose Medicaid where implemented; urging more cuts through <a href="#">block grant waivers</a>	Would <a href="#">defund</a> Medicaid expansion, ending it in most states	Would end Medicaid expansion and replace with <a href="#">underfunded</a> and <a href="#">flawed</a> block grant	Would cut <a href="#">\$1 trillion</a> from Medicaid, ACA (2021-2030)
<b>Affordability</b>	<b>ACA premium tax credits help moderate-income people afford individual market coverage</b>	Would end premium tax credits	<a href="#">Cut</a> premium tax credits; <a href="#">cut</a> outreach; created new <a href="#">barriers</a> to getting financial help	Would raise costs an average of <a href="#">\$3,600</a> per marketplace enrollee — more for low-income and older people	Would end premium tax credits and replace with <a href="#">underfunded</a> and <a href="#">flawed</a> block grant	Would cut <a href="#">\$1 trillion</a> from Medicaid, ACA (2021-2030)
<b>Coverage impacts</b>	<b>10.4% uninsured</b>  <b>Non-elderly uninsured rate reached all-time low as more than 20 million people gained coverage</b>	<b>18.3% uninsured</b>  20 million people would lose coverage	<b>11.1% uninsured</b>  1-2 million more uninsured since 2016, with Administration policies a major <a href="#">contributor</a>	<b>18% uninsured</b>	<b>18% uninsured</b>  <a href="#">Estimate</a> is for a similar plan with smaller funding cuts	Long-run <a href="#">coverage losses</a> likely similar to ACA lawsuit, since long-run budget cuts would be nearly as large as from repeal