



SCOTUS Preserves The Affordable Care Act's Subsidy Provisions: What Employers Need To Know

Publication

6.26.15

Tabitha George's article "SCOTUS Preserves The Affordable Care Act's Subsidy Provisions: What Employers Need To Know" was featured in *Biz New Orleans* on June 26, 2015.

The U.S. Supreme Court preserved key provisions of President Obama's Affordable Care Act (ACA), maintaining insurance subsidies despite a stiff challenge from opponents. By a 6 to 3 vote, the Court ruled that health insurance subsidies are available to all qualifying individuals buying coverage in the public exchanges regardless of whether the exchange is established by a state or run by the federal government.

A contrary ruling by the Court would have created havoc in the insurance market and undermined several key components of the ACA, Tabitha George, an attorney with labor and employment firm Fisher Phillips said, including the employer shared responsibility mandate. With today's ruling the ACA lives another day, George said, because it's the second time the Supreme Court has stepped up to defend the law, preserving the status quo.

In the article, Tabitha examines four key components of the ACA that are relevant to the Court's decision and its impact on employers:

- The first is the market reforms requiring insurers to cover everyone who applies for insurance without charging higher rates or denying coverage for preexisting conditions.
- The second key component requires all Americans to have health insurance or face a penalty tax.
- The third key component requires applicable large employers who do not provide affordable and adequate coverage to their full-time employees to pay a penalty if any of their full-time employees receive a government subsidy to buy an individual policy.
- The fourth key component is the public marketplaces or exchanges for individuals to compare and buy health insurance.

To read the full article, please visit [*Biz New Orleans*](#).