

National Forum Statement about U.S. District Court Verdict on Kelley v. Becerra

U.S. District Court Judge Reed O'Connor will soon rule on a case, Kelley v. Becerra, with major implications for population health. A ruling for the plaintiffs would set the stage for preventive care to become less affordable for millions of Americans and reverse progress in population health outcomes. It would disproportionately impact Americans with lower life expectancies and people of color who suffer higher rates of cardiovascular disease, hypertension, stroke, kidney failure, and other illnesses than non-underserved populations.

The court will decide whether to throw out Section 2713 of the Public Health Service Act, which protects people from financial barriers to preventive healthcare. Section 2713 eliminated cost-sharing for high-value preventive services, such as screenings and vaccines, many of which play a critical role in the prevention and management of cardiovascular disease. Findings from numerous studies indicate that even modest financial barriers can discourage people from getting needed care. Studies examining the impact of the ACA found increased colon cancer screening, vaccinations, and chronic disease screening.

Systematic reviews of research found that reducing consumers' out-of-pocket costs increased the proportion of patients achieving their blood pressure goals by 6 percentage points; and increased the proportion of patients achieving their LDL cholesterol goals by 13-24 percentage points. Less than half of Americans with high blood pressure have it under control; and just 47 million of the nearly 94 million adults with high cholesterol are taking treatment for it. If out-of-pocket costs increase, we should expect these figures to get worse, leading to increases in heart attacks, strokes, heart failure, and more.

The laws of economics and public health research make clear that nullifying Section 2713 could be expected to result in poorer cardiovascular health, increased disability, and earlier deaths for people across the U.S.

An adverse ruling would also cause the United States, which already has the highest healthcare costs in the world, to fall further behind other countries in life expectancy as consumers face higher costs for preventive care.

It would be regrettable if a single judge chose to nullify a policy duly passed by Congress in 2010 and kept in place since then by both Republican and Democratic Congresses.

About the National Forum for Heart Disease & Stroke Prevention

The National Forum is a non-profit, non-partisan organization whose mission is to achieve health equity and optimize cardiovascular health and well-being throughout society. It represents over 100 for-profit, non-profit, and public sector members throughout the country.