

Appeals court ruling keeps Obamacare preventive health care coverage in place for now

May 16 2023, by Cara Murez



Americans will continue to be able to get free preventive health care services—at least for now.

The U.S. Court of Appeals for the Fifth Circuit in New Orleans temporarily blocked a lower court decision on Monday, pausing a ruling that challenged an Affordable Care Act provision that all [health plans](#) cover certain care, the *New York Times* reported.

The earlier ruling in March, by Judge [Reed O'Connor](#) of the Federal District Court for the Northern District of Texas, would have immediately eliminated access to a long list of free preventive services mandated under the ACA since 2010. This was one of the most popular provisions of "Obamacare," as the ACA is commonly called.

This includes [depression screening](#) for teens and drugs that prevent HIV transmission for about 150 million Americans enrolled in private employer-sponsored health insurance or through the ACA marketplaces, *The Times* noted.

O'Connor maintained that the U.S. Preventive Services Task Force, which recommends the list of services, was not appointed by Congress. He ruled that the group did not have the constitutional authority to make a decision about [health care services](#).

The USPSTF is an independent group of experts that makes evidence-based recommendations on effective ways to prevent disease and prolong life.

This isn't O'Connor's only ruling on Obamacare provisions. He ruled in 2018 that the ACA was unconstitutional, a ruling that was later overturned by the U.S. Supreme Court.

O'Connor also ruled last September that the ACA mandate requiring

coverage of an HIV prevention pill violated a company's religious freedom, according to the news report.

Americans will keep this free preventive health care while the case works its way through the appeals process. It could end up in the Supreme Court.

More information: The U.S. Preventive Services Task Force has more on its [recommendations](#).

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