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[*REVISED 4/12/18 - to reflect the addition of Minnesota to the list of participating states, and include a link to the motion to intervene.]

**HAWAII ATTORNEY GENERAL JOINS IN DEFENDING
ATTACKS ON AFFORDABLE CARE ACT**

HONOLULU – Hawaii Attorney General Russell A. Suzuki, joined by 17 attorneys general, today filed a motion to intervene in *Texas et al. v. United States et al.*, a lawsuit filed in federal district court in Texas which seeks to dismantle the Affordable Care Act (ACA). The Texas lawsuit imperils health care coverage and funding for all Americans, particularly more vulnerable groups like seniors, children, and people with chronic medical conditions or disabilities. Led by California Attorney General Becerra, a coalition of 16 states and the District of Columbia, seeks to enter the lawsuit to vigorously defend the ACA and the millions of families across the country who rely on it for affordable care.

The Texas lawsuit petitioned the federal court to stop Medicaid expansion; end tax credits that help people afford insurance; allow insurance companies to deny coverage to people with pre-existing conditions; take away seniors' prescription drug discounts; strip funding from our nation's public health system, including work to combat the opioid epidemic; and much more. If the ACA were terminated, Americans living in the states seeking to intervene could lose half a trillion dollars in healthcare funding if this lawsuit succeeded.

"At this point there is nothing to replace the vital services and programs provided under the Affordable Care Act," said **Attorney General Suzuki**. "Until there is a responsible and serious attempt to craft a replacement, the ACA is still an essential part of the nation's health care system and must be protected and enforced."

Texas filed the lawsuit in the United States District Court for the Northern District of Texas, Fort Worth Division on February 28, 2018 and was joined by 19 other states.

Texas alleges that the ACA is no longer constitutional due to the passage of the Republican tax break bill, passed in December 2017, which zeroed out the penalty payment due under the ACA's individual mandate for those who could afford to pay for their health insurance but failed to do so.

In the motion to intervene, the attorneys general allege that the ACA has not been repealed by the passage of the Republican tax break bill, and its constitutionality has been upheld by the Supreme Court:

- The ACA has survived nearly 70 unsuccessful repeal attempts in Congress since it was passed in 2010.
- In *National Federation of Independent Businesses v. Sebelius* (2012), the Supreme Court ruled that the individual mandate is constitutional.
- The state of California and every state in the United States would suffer grave harm if the plaintiffs achieved the goals of their lawsuit.

Joining Attorney General Suzuki in filing today's motion are the Attorneys General of California, Connecticut, Delaware, Illinois, Kentucky, Massachusetts, Minnesota, North Carolina, New Jersey, New York, Oregon, Rhode Island, Virginia, Vermont, Washington, and the District of Columbia.

A copy of the motion to intervene can be found on the California website:

<https://oag.ca.gov/news/press-releases/attorney-general-becerra-joined-16-ags-moves-defend-affordable-care-act-against>

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