



King v. Burwell: How could the Supreme Court's ruling affect Oklahomans?

Through the Affordable Care Act, millions of Americans are now able to afford health insurance for the first time because of the subsidies available to them through a Health Insurance Marketplace (also called an exchange). These subsidies assist those with low and moderate incomes in purchasing a health insurance plan for themselves and their families. In 2013, a group of plaintiffs led by David King filed suit against Sylvia Burwell, Secretary of the U.S. Department of Health and Human Services. The suit challenged the legality of tax subsidies for individuals purchasing private health insurance through the federal health insurance exchange based on language that says tax credits are available for individuals purchasing coverage through an exchange "established by the state." The U.S. Supreme Court is expected to issue its ruling by the end of June.

Possible Supreme Court Rulings



Rulings in favor of Burwell:



If the Court rules that Congress intended tax credits to be available to all individuals:

More than **87,000** Oklahomans keep their subsidized private health insurance.

OR

If the Court defers to the IRS' interpretation, permitting tax credits in the federal exchange:

More than **87,000** Oklahomans keep their subsidized health insurance, BUT a future administration could revisit and issue a different interpretation.

Rulings in favor of King:

If the Court rules that tax credits are **invalid** for individuals purchasing coverage through the federally facilitated exchange:



More than **87,000** Oklahomans **LOSE** subsidized private health insurance. This could occur as soon as Aug. 1.

OR

If the Court rules tax credits are invalid, but **stays** its ruling, delaying the outcome for a specified period:

More than **87,000** Oklahomans may eventually lose their subsidized health insurance, **UNLESS**:

- Congress enacts a legislative solution before the ruling takes effect, and/or
- The state of Oklahoma creates a state-based exchange.



OR, as it did with its ruling in NFIB v. Sebelius that made Medicaid expansion optional for states, the court could issue a **"SURPRISE"** ruling.



\$18 Million =

Monthly value of health insurance tax credits in Oklahoma.

For more information,
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June 16, 2015

