

Lower Court Will Determine Whether the Remainder of the ACA Can Stand

On Dec. 18, 2019, a federal appeals court ruled in *Texas v. Azar* that the Affordable Care Act's (ACA) individual mandate is unconstitutional due to the elimination of the individual mandate penalty in 2019. The appeals court remanded the case to the lower court to determine whether the rest of the ACA can remain in place without the individual mandate.

This ruling is expected to be appealed to the Supreme Court. As a result, a final decision is not expected to be made until that time. In addition, it is likely that any ruling eliminating the ACA will be stayed pending appeal.