

LEGAL UPDATE



U.S. Supreme Court Upholds ACA's Mandate for Free Preventive Care

On June 27, 2025, the U.S. Supreme Court upheld a key component of the Affordable Care Act's (ACA) preventive care mandate ([Kennedy v. Braidwood Management, Inc.](#)). The Court's decision requires health plans and health insurance issuers to **continue covering, without cost sharing, the full range of recommended preventive care services.**

ACA's Preventive Care Mandate

The ACA requires non-grandfathered health plans and issuers to cover a set of recommended preventive services without imposing cost-sharing requirements, such as deductibles, copayments or coinsurance, when the services are provided by in-network providers. The recommended preventive care services covered by these requirements are:

- Evidence-based items or services with an A or B rating in recommendations of the U.S. Preventive Services Task Force (USPSTF);
- Immunizations for routine use in children, adolescents and adults recommended by the Advisory Committee on Immunization Practices;
- Evidence-informed preventive care and screenings in guidelines supported by the Health Resources and Services Administration (HRSA) for infants, children and adolescents; and
- Other evidence-informed preventive care and screenings in HRSA-supported guidelines for women.

HIGHLIGHTS

- On June 27, 2025, the U.S. Supreme Court issued a ruling in a pivotal legal dispute involving a key component of the ACA's preventive care mandate.
- The Supreme Court reversed the 5th Circuit and upheld the ACA's preventive care mandate as constitutional.
- Due to this ruling, the ACA's preventive care mandate remains in full effect, and health plans and issuers must continue to cover the entire range of recommended preventive care without cost sharing.

Legal Dispute

The plaintiffs, a small group of individuals and businesses in Texas, have religious objections to the ACA's preventive care mandate and challenged its legality on various grounds. In March 2023, the U.S. District Court for the Northern District of Texas ruled in the plaintiffs' favor and [struck down](#) a key component of the ACA's preventive care mandate.

The District Court ruled that the preventive care coverage requirements based on an A or B rating by the USPSTF on or after March 23, 2010, the ACA's enactment date, violate the U.S. Constitution. More specifically, the District Court concluded that members of the USPSTF are "principal" officers of the federal government under the U.S. Constitution's Appointments Clause and must be nominated by the president and confirmed by the Senate, which has not been the case. Currently, the USPSTF is composed of 16 volunteers with expertise in preventive medicine and primary care who serve four-year terms and operate under the U.S. Department of Health and Human Services (HHS).

The District Court also issued a nationwide injunction, prohibiting the federal government from enforcing the affected preventive care mandates against any



health plans or issuers. This ruling impacted a wide range of preventive care services, including screenings for colorectal, lung and cervical cancers; medications for chronic conditions, such as cardiovascular disease; screening for HPV; depression and anxiety screenings; and hepatitis B and C virus screenings.

The Biden administration appealed the District Court's ruling to the 5th U.S. Circuit Court of Appeals. The 5th Circuit put the District Court's decision on hold pending its ruling, which means **health plans and issuers have been required to fully comply with the ACA's preventive care mandate without interruption**. The 5th Circuit [agreed](#) with the District Court that members of the USPSTF had not been validly appointed under the Constitution. However, the 5th Circuit limited its relief to the plaintiffs in the case and held that there was no basis for a nationwide injunction.

Impact of Supreme Court Ruling

The Supreme Court reversed the 5th Circuit's decision and upheld the constitutionality of the ACA's preventive care mandate. More specifically, the Court ruled that the preventive care coverage requirements based on an A or B rating by the USPSTF on or after March 23, 2010, do not violate the U.S. Constitution because members of the USPSTF are not principal officers. Rather, they are inferior officers who are supervised and controlled by HHS.

Due to the Court's ruling, the ACA's preventive care mandate remains in full effect and health plans and issuers are required to continue covering the entire range of recommended preventive care services without cost sharing.