

{HEALTHCARE ADVISORY}

SCOTUS Won't Hear Challenge to Obamacare

The Supreme Court this morning said it won't hear a lawsuit challenging an Obama administration policy allowing insurers to continue offering health plans not compliant with the Affordable Care Act.

West Virginia sued the Obama administration three years ago over its decision to let states determine whether insurers could extend these health plans. The Obama administration crafted the policy to tamp down the outcry over millions of health plan cancellations in fall 2013, just before Obamacare's major insurance rules took effect. West Virginia argued that the Obama administration didn't have the authority to force states to decide whether to enforce the federal rules.

The Supreme Court's refusal to hear the case, *West Virginia v. HHS*, was expected. The U.S. Court of Appeals for the District of Columbia last summer found West Virginia lacked standing to bring the case.

The Obama administration extended the phase-out date for the "transitional" health plans several times. In February, the Trump administration again extended the policy through 2018.

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