



AMERICAN BENEFITS  
COUNCIL

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**For additional information:**

Jason Hammersla  
202-289-6700

## **Fifth Circuit decision in *Texas v. United States* continues uncertainty for employers**

*Final resolution on ACA constitutionality still seems far away*

WASHINGTON, DC – “Today’s decision sending the case back to the district court means the future of the system under which most Americans get health coverage remains uncertain. It will likely be decided by the U.S. Supreme Court many months or even years down the road,” American Benefits Council President James A. Klein said today in response to the Fifth Circuit Court of Appeals decision in *Texas v. United States*

“Certainty is what employers and their workers need most. On both substance and process, the appellate court’s nuanced decision precludes a quick resolution. Klein said.

“No matter the ultimate disposition of this case, we urge lawmakers to continue building on the employer-sponsored system by strengthening ERISA’s federal framework, reducing administrative burdens, pursuing policies that align cost and quality, and stabilizing the individual market,” Klein said.

For more information on the Council’s health policy agenda, or to arrange an interview with Klein or the Council’s health policy team, contact Jason Hammersla, Council vice president, communications, at [jhammersla@abcstaff.org](mailto:jhammersla@abcstaff.org) or by phone at 202-289-6700 (office) or (202) 422-4652 (cell).

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*The Council is a public policy organization whose members include over 220 of the world’s largest corporations, as ranked by Fortune and Forbes. Collectively, the Council’s members either directly sponsor or administer health and retirement benefits for virtually all Americans covered by employer-sponsored plans.*