



An Open Letter to the Biden Administration Regarding Protecting Preventive Services

President Joseph R. Biden
1600 Pennsylvania Avenue NW
Washington, DC 20500

Cc: Secretary Xavier Becerra

Dear President Biden,

Preventive services available without cost sharing for exams and screenings related to cancer, diabetes, and hepatitis, statins for heart disease, HIV medications, and dozens of other preventive health services, remain in jeopardy despite a recent action from the U.S. Court of Appeals, which temporarily blocked a lower court's decision to overturn the Affordable Care Act's requirement that all health plans fully cover certain preventive health services.

While the Court of Appeals continues to review the *Braidwood Management v. Becerra* decision, full coverage for preventive services will be legally required until the appeals court makes its final ruling.

We commend your administration for taking swift action to appeal the lower court's ruling and gaining an administrative stay that will temporarily preserve critical preventive health services for more than 150 million Americans. We strongly urge you to consider all available options to prevent the devastating impact this ruling will have if preventive services without cost sharing are denied.

In 2022, a federal district judge in Texas, issued a ruling in the *Braidwood Management v. Becerra* case challenging the requirement that most health plans cover preventive services at no cost to the patient under the Affordable Care Act (ACA) on the grounds that the U.S. Preventive Services Task Force's (USPSTF) members were not appointed by the President, nor confirmed by the Senate. On March 30, 2023, the same federal judge issued another ruling clarifying that his decision applies nationwide and not just to the parties involved in this case.

As a result of the ACA, millions of people gained access to vital preventive services. Stripping away access to preventive health coverage will disproportionately impact underserved and marginalized communities and widen existing health disparities. As an example, a recent Yale University School of Public Health study estimated that this ruling could result in an additional 2,000 cases of HIV infection in the coming year.

As our nation grapples with declining life expectancy and emerges from the devastating health outcomes caused by the COVID-19 global pandemic, we cannot afford to go backward. Everyone deserves equitable access to high-quality preventive care to reduce and eliminate the burden of disease. The Biden administration must do everything possible to defend, preserve and protect key preventive services coverage, including administrative or executive action where appropriate.

We look forward to working with your administration to advance these urgent priorities.



Alliance for Women's
Health & Prevention

Sincerely,

National Organizations

Alliance for Women's Health & Prevention (AWHP)

Alliance for Aging Research

American Medical Women's Association

American Society for Bone and Mineral Research (ASBMR)

Black Women's Health Imperative

Brem Foundation to Defeat Breast Cancer

Cervivor, Inc.

Families USA

HealthyWomen

National Alliance for Hispanic Health

National Association of Nurse Practitioners in Women's Health (NPWH)

National Birth Equity Collaborative

National Consumers League

National Council of Asian Pacific Islander Physicians

National League for Nursing

National Medical Association

Prevent Cancer Foundation

Rural Health Consulting

Society for Women's Health Research

The Gerontological Society of America

The National Rural Health Association

UnidosUS

WomenHeart: The National Coalition for Women with Heart Disease