



A Union of Professionals

AFT Concerns with Kavanaugh's Record on Healthcare

The attempts to find the Affordable Care Act unconstitutional have not slowed down. The Trump administration continues to cut access to healthcare, make healthcare more expensive, and attempt to overturn protections for Americans with pre-existing conditions. Judge Brett Kavanaugh criticized Chief Justice John Roberts' reasoning in upholding the Affordable Care Act. Kavanaugh's record on healthcare demonstrates his opposition to the Affordable Care Act and his skepticism about the right to access to basic healthcare such as birth control.

Would remove protections for pre-existing conditions:

- Kavanaugh has signaled that he finds protections for individuals with pre-existing conditions, like asthma, heart disease and cancer, to be unconstitutional.
- Currently, 130 million Americans are living with pre-existing conditions.
 - In Alaska, there are 326,000 Alaskans with pre-existing conditions.
 - In Arizona, there are 2.8 million Arizonans with pre-existing conditions.
 - In Indiana, there are 2.7 million Indianans with pre-existing conditions.
 - In Maine, there are 548,000 Mainers with pre-existing conditions.
 - In Nevada, there are 1.2 million Nevadans with pre-existing conditions.
 - In North Dakota, there are 316,000 North Dakotans with pre-existing conditions.
 - In Ohio, there are 4.8 million Ohioans with pre-existing conditions.
 - In Tennessee, there are 2.7 million Tennesseans with pre-existing conditions.
 - In West Virginia, there are 738,000 West Virginians with pre-existing conditions.

Would challenge the Affordable Care Act:

- Kavanaugh described the ACA as "unprecedented on the federal level in American history."
- Most concerning, Kavanaugh stated that the president could decide not to enforce the ACA's individual mandate if the president concluded that it was unconstitutional, even if the courts had already ruled that it was constitutional.

Would eliminate birth control coverage:

- Kavanaugh believes religious organizations have the right to deny insurance coverage for birth control. In a decision upholding the requirements of the contraceptive mandate of the ACA, Kavanaugh dissented, siding with employers who opposed providing birth control for religious reasons. The decision held that religious organizations that were exempted from the birth control coverage mandate would have to submit a form to their insurer or the U.S. Department of Health and Human Services. Kavanaugh, however, stated that this requirement was a burden on religious freedom.

The **American Federation of Teachers** is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

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