

King v. Burwell: What Next?

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The Court's Decision

- Decisive: 6-3
- Vigorous dissent
- The Chief Justice looked beyond narrow reading to what the statute in fact means
- Interpreted the ACA so as to accomplish, not thwart, legislative purpose
- Did not defer to IRS but confirmed its interpretation of ACA.

Where does K v. B leave us?

- Cases still pending
- Lower courts have been steadily rejecting challenges
- Contraceptive cases
- House v. Burwell
 - Challenge to cost-sharing reduction payments
 - Motion to dismiss on standing grounds

What happens next?

- More federally facilitated exchanges?
- Appropriations bills
- Reconciliation bill
- Other challenges