

Dept. of Justice: AG Schimel and Texas AG file 20-state injunction against Obamacare

Posted on Friday, Apr 27, 2018

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MADISON, Wis. – Wisconsin Attorney General Brad Schimel and Texas Attorney General Ken Paxton filed a motion today seeking a preliminary injunction against the federal government’s Affordable Care Act. Attorneys General Schimel and Paxton are leading a 20-state coalition in this effort to undo the harmful effects of Obamacare.

“Obamacare’s irrational design wreaks havoc on health insurance markets,” said Attorney General Schimel. “Obamacare causes premiums to rise and coverage to fall, forcing Wisconsin and other states to take extreme, costly measures to protect their citizens’ health and pocketbooks. I bring this challenge to Obamacare because, as Wisconsin’s attorney general, I swore to uphold the rule of law and protect our state from overreaching and harmful actions from the federal government.”

In February, the same 20-state coalition filed a lawsuit that argues the ACA, as recently amended, forces an unconstitutional and irrational regime onto the states and their citizens. In *NFIB v. Sebelius*, the U.S. Supreme Court narrowly upheld the core provision of the ACA—the individual mandate—as a “tax.” However, Congress has recently repealed this tax, while leaving the mandate in place. Since the Supreme Court has already held that Congress has no authority to impose such a mandate on Americans, absent invoking its taxing authority, the ACA is now unconstitutional.

In the motion for a preliminary injunction that was filed today, Attorney General Schimel told the U.S. District Court for the Northern District of Texas that an

injunction against Obamacare is necessary to spare the people of Wisconsin and the other states from the enormous financial burden caused by the individual mandate. Before Obamacare, “the states allowed individuals to determine whether to buy health insurance, established high-risk insurance pools to help individuals in ill-health, enabled cost-sharing, and instituted many other policies that Obamacare now preempts or functionally preempts,” the coalition wrote.

Wisconsin and Texas filed the coalition’s complaint in a federal district court in Texas. Other states participating are Alabama, Arizona, Arkansas, Florida, Georgia, Indiana, Kansas, Louisiana, Maine, Mississippi, Missouri, Nebraska, North Dakota, South Carolina, South Dakota, Tennessee, Utah, and West Virginia.

[See the filing.](#)