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First Ruling by Federal Appeals Court Upholds Health Reform

On June 29th, in the first ruling by a federal appeals court, a three-judge panel concluded by a 2-1 vote that the Patient Protection and Accountable Care Act is constitutional. The court held that Congress has the power to require Americans to maintain minimal health insurance or face penalties. Opponents argued that the law subjects them to financial hardship and that Congress has exceeded its authority. The government argued that the law is needed to achieve the overall goal of reducing health care costs and reforms, such as ending discrimination in the insurance market against people with chronic illnesses such as diabetes or heart disease.

It is significant that the two judges that upheld the law are a Democrat and a Republican. In fact, Judge Jeffrey Sutton is a George Bush appointee and former law clerk to Justice Antonin Scalia. He has been one of the nation's leading advocates for preventing people with disabilities, religious minorities, and children who are illegally deprived of Medicaid coverage from holding States accountable in federal court.

To date there have been more than 30 legal challenges filed over healthcare reform.

The attorneys of Dean Mead will continue to monitor developments relating to Healthcare Reform. If you have questions, please contact Kelly Sullivan of our Orlando office at (407) 841-1200 or by email at ksullivan@deanmead.com.

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