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Small Business Owners Oppose Supreme Court Lawsuit Aimed at Overturning Healthcare Reform Law

Small business owners say overturning healthcare law would be disastrous for small businesses; attorney specializing in US Constitution says law is constitutional

March 21, 2012 – Small businesses are being helped in myriad ways by the healthcare reform law, the Affordable Care Act, and would be severely impacted if it were to be overturned by the U.S. Supreme Court, said small business owners on a press call Wednesday—days before the high court is expected to hear arguments in the lawsuit aimed at tearing down the 2-year-old law.

On March 26, 2012, the Supreme Court will hear three days of oral arguments in the case against the Affordable Care Act. Small business organization the National Federation of Independent Business (NFIB), along with several state attorneys general, filed a suit challenging the Affordable Care Act and attempting to overturn it.

“Despite everything I’ve heard said about the Affordable Care Act, what I’ve never heard anyone argue about is the tremendous problem healthcare has been and continues to be for small businesses. The costs have been crushing us. If nothing was done about healthcare costs we’d either have to cut benefits or lay some of our employees off—neither of which we want to do. The fact of the matter is the new law has already started helping us,” said Mike Roach, owner of small business Paloma Clothing in Portland Oregon, and a 36-year member of the NFIB. “Overturning the law now wouldn’t help us, it would hurt us. We want the law fully implemented and even strengthened. Only then will we get some relief.”

Roach was joined on the call by Small Business Majority founder and CEO John Arensmeyer and Doug McSwain, an attorney specializing in constitutional, employment and healthcare law with the firm Sturgill, Turner, Barker & Moloney in Lexington, Ky. They discussed how the law has already begun to help small business owners through small business tax credits, rate review, the Medical Loss Ratio provision and more. In 2014, the law calls for health insurance exchanges to be set up in every state, which will do even more to curb costs and boost choice. Small business owners would lose all those benefits and protections if the law were overturned. McSwain also presented the legal case for why the law is constitutional under the Commerce Clause, as presented in the [amicus brief](#) he filed with the Supreme Court on behalf of Small Business Majority.

“The law, while certainly not perfect, includes a number of provisions that will help small businesses gain access to more affordable coverage, which makes their businesses more competitive and boosts their ability to create jobs and drive economic growth,” said John Arensmeyer, CEO of Small Business Majority. “The best way to serve small business owners is to

help them understand, participate in and benefit from the broad changes that are already underway, not tear down the policies aimed at helping them.”

To schedule a follow-up interview with one of the participants on today’s call or get more information on how the Affordable Care Act impacts small business owners, call or email Erin Musgrave at (831) 477-0453 or emusgrave@smallbusinessmajority.org, or visit www.smallbusinessmajority.org.

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Who is the Small Business Majority?

Small Business Majority is a national small business advocacy organization, founded and run by small business owners, to support America’s 28 million small businesses. We conduct extensive opinion and economic research and work with our rapidly growing network of small business owners across the country to ensure their voices are an integral part of the public policy debate. Learn more about us on [Wikipedia](#) and follow us on [Twitter](#) and [Facebook](#). We also host the [Health Coverage Guide](#), an independent, unbiased source of information for small businesses about health insurance.