



The Supreme Court Could Make It Easier to Gut Public Benefits

In *Health and Hospital Corp. v. Talevski*, the Supreme Court could roll back legal protections for people enrolled in public benefits like Medicaid, food stamps, and housing vouchers. By granting cert in the case, the Court has positioned itself to reverse decades of legal precedent and continue its assault on the most vulnerable Americans.

The case falls into a broad, insidious pattern of the Court [rolling back rights by eliminating legal remedies](#). In *Talevski*, the Court may prevent people enrolled in public benefits from seeking legal recourse when their rights are violated, and will disproportionately harm people with disabilities.

The case centers on misconduct against a Medicaid recipient by a private corporation that owns many Indiana nursing homes, but the consequences of an adverse ruling may well be all-encompassing: Medicaid, food and housing assistance, child welfare programs, and other crucial public benefits programs are all on the line for millions of vulnerable Americans. The Court may choose to essentially rewrite federal law — specifically 42 U.S.C §1983, a 150-year-old civil rights enforcement law — to decide that enrollees in public benefits can never bring suit in federal court when their coverage and other rights are violated.

The ability to have your day in Court is a core component of American law. But here, the Supreme Court is poised to radically limit §1983, which would strip Americans of their ability to fight back in the courts if they're denied coverage, don't receive proper payments or benefits, or are mistreated or face substandard care through joint federal and state programs like Medicaid. If the Court issues an adverse ruling, it will essentially greenlight states taking unlawful actions without fear of direct legal accountability. While the federal Department of Health and Human Services could still investigate certain claims, like state misconduct against Medicaid recipients, one of the only real enforcement mechanisms left would be cutting the state's federal funding for Medicaid and other programs — further injuring the people harmed by a state's unlawful actions.

For more information on *Health and Hospital Corp. v. Talevski*, see the following resources:

- Ian Millhiser, [The nightmarish Supreme Court case that could gut Medicaid, explained](#), *Vox* (Nov. 3, 2022)
- Kate Riga, [Inside the Fight to Stop the Supreme Court From Slashing the Social Safety Net](#), *Talking Points Memo* (Sept. 21, 2022)
- Sarah Rosenbaum, [An Upcoming Supreme Court Case Could Strip Medicaid Beneficiaries and Safety Net Providers of Crucial Civil Rights](#), *The Commonwealth Fund* (Oct. 19, 2022)
- Susan Stonecypher-Hawkins, [Amicus Brief Filed in U.S. Supreme Court Case Emphasizes Harm to People with Disabilities](#), *The Arc* (Sept. 30, 2022)
- [Brief of Indiana Disability Rights as Amicus Curiae in Support of Respondents](#), No 21-806