

## Fourth Circuit Dismisses Healthcare Reform Lawsuits

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The U.S. Court of Appeals for the Fourth Circuit has rejected two challenges to the constitutionality of the Patient Protection and Affordable Care Act for lack of standing. The court dismissed a challenge by the commonwealth of Virginia without reaching the merits, because it concluded that Virginia lacked standing to challenge the personal coverage mandate. Next, the Court dismissed a challenge by Liberty University for lack of jurisdiction, holding that the suit constitutes a pre-enforcement action seeking to restrain the assessment of a tax barred by the Anti-Injunction Act. *Commonwealth of Virginia v. Sebelius* (11-1057); *Liberty University v. Geithner* (10-2347). Two other U.S. Courts of Appeal have split on the constitutionality of the individual mandate.