



Sanchez v. Johnson, 416 F.3d 1051 (9th Cir. 2005)

Topics Covered: Medicaid, Payment Issues (for Patients)

Outcome: Very Unfavorable

Issue

The issue in this case was whether the "quality of care" and "equal access" section of the Medicaid Act, 42 U.S.C. § 1396a(a)(30)(A), provides a private (i.e., non-governmental) right of action against states (in this case, California) for failure to fund Medicaid programs adequately.

AMA Interest

The AMA believes that all Americans should have access to necessary medical care, regardless of ability to pay.

Case Summary

Plaintiffs, developmentally disabled individuals, contended that this provision creates a private right of action, and such right is necessary to ensure that states provide "equal access" to health care for Medicaid beneficiaries.

On August 2, 2005, the Ninth Circuit reversed the trial court, holding that private parties do not have a right of action to enforce the "equal access/equal quality" provision of the Medicaid Act. The plaintiffs asked for a rehearing of the panel decision, but their request was denied on December 5, 2005.

Litigation Center Involvement

The Litigation Center joined with the American Academy of Pediatrics in an amicus curiae brief to support the plaintiffs.

United States Court of Appeals for the Ninth Circuit brief