

Supreme Court Ruling on the Constitutionality of the USPSTF

The U.S. Preventive Services Task Force (USPSTF) was established in 1984 under the Department of Health and Human Services (HHS). This official panel of medical experts provides evidence-based recommendations related to preventive healthcare services. Initially, their guidance was advisory. The Affordable Care Act (ACA), enacted in 2010, made these recommendations mandatory for private insurers, Medicare, and Medicaid, requiring them to cover preventive services with an A or B rating from the USPSTF without cost-sharing.

In *Kennedy v. Braidwood Management, Inc.*, the plaintiffs challenged the constitutionality of the USPSTF, arguing that USPSTF members should be considered “principal officers” under the Appointments Clause and, therefore, must be appointed by the President and confirmed by the Senate. The District Court agreed, and the Fifth Circuit upheld this ruling, leading to a Supreme Court review.

On June 27, 2025, the Court ruled by a 6-3 vote that members of the USPSTF qualify as “inferior officers” because they operate under the authority of the Secretary of Health and Human Services. As a result, their appointments without Senate confirmation are considered constitutional. The Court reversed the lower court’s decision and remanded the case for further proceedings.

The ruling confirms the constitutionality of the USPSTF’s role in recommending preventive services. It requires insurers to cover preventive services rated A or B by the USPSTF without charging copays or coinsurance. This supports the ACA’s goal of improving access to preventive healthcare services, which could lead to better health outcomes for those insured. While future challenges may examine the structure or delegation of authority, this ruling affirms current practices. The ruling also reinforces HHS’ role in both appointing and removing members of the USPSTF.

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