

SUPREME COURT OF THE UNITED STATES

Cummings v. Premier Rehab Keller

Cummings v. Premier Rehab Keller, P.L.L.C., 596 U.S. ____ (2022) · No. 20-219 · Decided April 28, 2022

SUMMARY

The Supreme Court held that emotional distress damages are not recoverable in private actions under Spending Clause antidiscrimination statutes, including the Rehabilitation Act and the Affordable Care Act. Applying a contract-law analogy, the Court reasoned that such damages are generally unavailable for breach of contract and that funding recipients lack clear notice of exposure to emotional distress liability. The decision reaffirms the principle from **Barnes v. Gorman** that only remedies traditionally available in contract actions may be implied, and rejects the argument that an exception for contracts likely to cause emotional disturbance applies to discrimination claims.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	John G. Roberts; Clarence Thomas; Samuel A. Alito; Neil M. Gorsuch; Brett M. Kavanaugh; Amy Coney Barrett
JURISDICTION	Federal
DECIDED	April 28, 2022
DOCKET	20-219
DISPOSITION	affirmed
PROCEDURAL POSTURE	On writ of certiorari to the United States Court of Appeals for the Fifth Circuit
PRECEDENTIAL VALUE	Published
PARTIES	Jane Cummings v. Premier Rehab Keller, P.L.L.C.

TOPICS

- civil rights
- remedies
- damages
- statutory interpretation
- constitutional law

PRACTICE AREAS

- Civil Rights

QUESTIONS PRESENTED

1. Whether emotional distress damages are recoverable in a private action to enforce the Rehabilitation Act of 1973 and the Affordable Care Act.

KEY QUOTATIONS

“Held: Emotional distress damages are not recoverable in a private action to enforce either the Rehabilitation Act of 1973 or the Affordable Care Act.” (syllabus p. 1)

“For the foregoing reasons, we hold that emotional distress damages are not recoverable under the Spending Clause antidiscrimination statutes we consider here.” (opinion p. 15)

FACTUAL BACKGROUND

Jane Cummings, who is deaf and legally blind, sought physical therapy services from Premier Rehab Keller. She requested an American Sign Language interpreter, but Premier Rehab declined, suggesting alternative communication methods. Cummings sued under the Rehabilitation Act and the Affordable Care Act, alleging discrimination based on disability. Premier Rehab receives Medicare and Medicaid reimbursements, making it subject to the statutes. The district court found that the only compensable injuries alleged were emotional distress, and dismissed the complaint.

PROCEDURAL HISTORY

The District Court dismissed the complaint, holding that damages for emotional harm are not recoverable under the Rehabilitation Act or the Affordable Care Act. The Fifth Circuit affirmed.

DISPOSITION

affirmed

CITED IN

- Cummings v. Premier Rehab Keller, Cummings v. Premier Rehab Keller, 596 U.S. 212 (2022)
- Cummings v. Premier Rehab Keller, Cummings v. Premier Rehab Keller, 596 U.S. 212, 219-220, 225 (2022)
- Cummings v. Premier Rehab Keller, Cummings v. Premier Rehab Keller, 596 U.S. 212, 230 (2022)