



11 GOP Attorneys General Say Obamacare Fix Is Illegal

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The White House is facing legal backlash from 11 Republican attorneys general who say the President is breaking the law by making changes to Obamacare without first going through Congress.

West Virginia Attorney General Patrick Morrisey [sent a letter](#) on Thursday to Health and Human Services Secretary Kathleen Sebelius questioning the constitutionality of the president's latest executive action that allowed insurance companies to continue offering plans that had been cancelled. The letter, signed by attorneys general from Republican-dominated states including Alabama, Georgia, Idaho, Kansas, Louisiana, Michigan, Nebraska, Oklahoma, Texas and Virginia, called the rule change "flatly illegal under federal constitutional and statutory law."

"We support allowing citizens to keep their health insurance coverage, but the only way to fix this problem-ridden law is to enact changes lawfully: through Congressional action," the letter said. "The illegal actions by this administration must stop."

The rule change was announced two weeks after millions of Americans received cancellation notices from their insurers, despite President Obama's continuous promise, "If you like your plan, you can keep it." The president's promise was named "Lie of the Year" by fact-checking website Politifact, since insurance companies were not allowed to continue offering plans that did not meet the new law's standards.

The Republican attorneys general argue that President Obama's rule change violates both the separation of powers between the branches of government and his responsibility to execute laws faithfully.

"We are deeply concerned that this Administration is consistently rewriting new rules and effectively inventing statutory provisions to operationalize a flawed law," the letter said. "And the irony, of course, is that the changes being put forth to fix the disastrous exchanges will ultimately destroy the market and increase health insurance premiums for customers who played by the rules."

Last month, the House Judiciary Committee held a hearing challenging the president's latest rule change.

"This raw assertion of authority goes beyond the power granted to the president," Committee Chairman Bob Goodlatte (R-VA) said.

The allegations are nothing new. Republicans have continuously criticized President Obama for altering the law. Earlier this year, Obamacare opponents pounced when the president announced the delay of

the employer mandate—saying the change was unconstitutional. The administration, however, disagrees, and says the rule changes and delays are legal adjustments to phase-in the law.

These are just the latest challenges facing the president's healthcare law, which has been under constant attack on Capitol Hill and in courthouses across the country since its passage in 2010. The most recent Obamacare ruling came Wednesday from the Supreme Court, which halted the contraception mandate for religious groups.

"After the A.C.A. was enacted and after the president signed it, a lot of people — me included — decided that we weren't going to take this lying down," Michael F. Cannon, a health policy scholar at the libertarian Cato Institute, told *The New York Times*. "We were going to try to block it and ultimately either get the Supreme Court to overturn it or Congress to repeal it."