



# Court Rulings Confirm That ObamaCare Is A Tangled Mess

Editorial

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A federal court has appropriately endangered the health of the Affordable Care Act — a "reform" that's turning out to be every bit the mess we feared.

The U.S. Court of Appeals for the D.C. Circuit issued a ruling Tuesday morning that said the federal government cannot provide health insurance subsidies for residents in the 36 states that have not set up their own ObamaCare exchanges.

In *Halbig v. Burwell*, a three-judge panel declared 2-1, as it should have, that the law meant what it said when it plainly stated that subsidies were only available to those buying ObamaCare plans through "exchanges established by the state."

If the ruling holds, it means nearly 5 million are getting subsidies through the federal exchange illegally. Rather pay the exorbitant cost of an unsubsidized ObamaCare plan, many of these people — most of them young and healthy — will just abandon the insurance market and pay the penalty, which will in turn spark an insurance "death spiral."

What's more, the court's ruling would simultaneously gut the employer mandate in those 36 states, which would be welcome news to 57 million employees and 250,000 companies in those states, notes the Cato Institute's Michael Cannon, who has led the charge on this case.

The law, in short, would completely collapse if the D.C. court's ruling stands.

With no apologies to Vice President Joe Biden, this is a big deal.

Or it was for a moment. Within minutes of that ruling, the U.S. Court of Appeals for the Fourth Circuit issued an opposite decision in *King v. Burwell*. That court said that the law is "ambiguous and subject to multiple interpretations," and so sided with the administration.

They got one thing right. The conflicting rulings show just how hopelessly muddled this law is and confirm what many said even before Democratic staffers gleefully began assembling the bill:

ObamaCare is a rancid stew of legislation, a tangled and corrupt law, a sham that will make health care worse for many and better for only a few.

Not only does it take the wrong approach — we need less government in health care, not more — it is, at roughly 1,000 pages of text and at least 10,000 pages of regulation, too big, too unwieldy and utterly irreconcilable.

Bitter experience with large bills and overflowing regulation should have been a warning to Democrats as they pieced together the legislation. But they were in too much of a rush to take counsel.

The D.C. court's ruling may very well be the last best hope of getting rid of this mess. Unless Obama tries to bypass the ruling by making another unilateral decree, he'll be forced to work with what very well could be Republican majorities in the House and Senate to fix it.

We have to hope that at least one of these cases makes it to the Supreme Court and this time the justices rule the way they should have two years ago.