

# Florida Judge Voids Affordable Care Act

by E.D. Kain on January 31, 2011

Brian Beutler [has the scoop](#):

A federal district court judge in Florida ruled today that a key provision in the new health care law is unconstitutional, and that the entire law must be voided.

Roger Vinson, a Ronald Reagan appointee, agreed with the 26 state-government plaintiffs that Congress exceeded its authority by passing a law penalizing individuals who do not have health insurance.

“I must reluctantly conclude that Congress exceeded the bounds of its authority in passing the Act with the individual mandate,” Vinson writes. “Because the individual mandate is unconstitutional and not severable, the entire Act must be declared void.”

Jon Cohn [says](#) Vinson doesn't understand either the mandate or the nature of interstate commerce. [Various writers at Cato](#) and [elsewhere](#) are [crowing triumphantly](#).

Obviously this will eventually end up in the Supreme Court. I suspect the law will be upheld. If it isn't, I suspect we'll see the mandate go and be replaced by a tax. Quite possibly this sort of thing will lead us closer to single payer. Frankly, that may be the best outcome we can hope for.

I'll have more to say about this later when I've read the judge's decision and the relevant commentary. What do you think?