

Strengthen ObamaCare

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Newly elected Republicans may have difficulty rolling back the Obama health care plan as part of their "Pledge to America." The problem for the GOP is that, as parts of the reform kick in, more and more people like the idea.

A recent Associated Press-GfK poll noted that opposition to the Patient Protection and Affordable Care Act seems to be dropping as people start realizing the benefits.

The decision in December by a federal judge, declaring the "individual responsibility provision" or mandated coverage section of the Obama plan was unconstitutional, is the first shot by conservatives in attempting to gain a judicial remedy in their fight to repeal the Affordable Care Act.

Judge Henry Hudson's ruling, however, didn't challenge the entire law, but was specifically limited to the requirement that people must purchase health insurance or pay a fine. The reason for this obligation should be clear. Insurance is all about risk sharing, and compelling participation is a guarantee that the cost of insurance will be cheaper per individual.

Prior to last year's historic vote, only individuals who needed health insurance or could afford it purchased it, while millions went without, shifting the costs of their eventual care to hospitals, doctors, or insured individuals. Even people with health insurance could find their benefits capped or even canceled under the old rules if their health situation changed.

Recognizing that revoking the health reform plan can't be accomplished with a Democratic majority in the Senate and facing the certain prospect of a presidential veto, the opposition strategy has shifted to using state legislatures as a potential fix.

With the support of conservative groups like the American Legislative Exchange Council, Americans For Prosperity, and the libertarian Cato Institute, legislators in 38 states have filed so-called "health care freedom acts" that would make provisions of the Obama plan illegal under state law. State laws cannot supersede federal law and opponents intent on derailing the Obama plan clearly hope to have the issue decided by the U.S. Supreme Court.

With a conservative majority, there is the possibility that the nation's highest court could decide that the Patient Protection and Affordable Care Act is unconstitutional.

Even with its flaws, the new health care reform law lets millions of Americans finally get health insurance. It prohibits insurers from denying or canceling coverage or charging more because of a person's health status. People with pre-existing conditions like heart

disease, high blood pressure, arthritis or cancer can now purchase insurance — something that wasn't possible before the law's enactment. More than 129 million Americans, or 36 percent of the population, fall into this category, including 2.9 million residents of Massachusetts.

Family coverage is now extended to young adults up to age 26 who may not have employment-based insurance. And despite claims to the contrary, the law specifically protects already guaranteed Medicare benefits.

In 2007, a national study by Harvard University found that more than half of personal bankruptcies (62 percent) were due to medical bills. Most medical debtors were well educated, owned homes and had middle-class occupations.

Efforts should be directed at improving the Affordable Care Act rather than weakening or repealing it.