



EDITOR'S CHOICE -- SCOTT TUTTELL

As if the health care reform law weren't complex enough ...

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Two experts — one of whom is from [Case Western Reserve University](#) — who recently scoured Section 1401 of the Affordable Care Act “think they found something huge”: a missing word that could undercut the law's promise of affordable health insurance, according to [this story](#) from *The Washington Post*.

For the 99.9% of us who don't know what's in Section 1401, *The Post* says it “outlines in excruciating detail the eligibility requirements for an American to receive a tax subsidy to assist in purchasing health insurance.”

Case Western Reserve's Jonathan Adler and The Cato Institute's Michael Cannon argue in a [new paper](#) that “any federally-established health insurance exchange does not have the authority to dole out health insurance subsidies,” *The Post* says. Those subsidies are important because they constitute the \$800 billion in tax credits meant to subsidize coverage for low- and middle-income Americans as part of the health reform law.

“If that is true — and it's worth noting that the Obama administration, along with a number of legal scholars, argue that it is not — it would significantly curtail the Affordable Care Act's ability to do what it's supposed to do: make health care affordable,” *The Post* says. “And

that puts Section 1401 at the center of a burgeoning debate over what Congress meant when it wrote the Affordable Care Act,” and how that affects its ultimate implementation.

The debate essentially “centers on whether Section 1401 has a drafting error,” *The Post* says. “Did the federal government mean to count federally-established marketplaces there and miss a word? Or did they actually mean to send insurance subsidies only to states that did the heavy lifting?”

Messrs. Cannon and Adler argue it's the latter and that the “tax subsidies were meant to encourage states to build exchanges and not leave the task to the federal government,” according to the newspaper.

The Obama administration argues the opposite — that the law clearly intends for insurance subsidies to go to all 50 states.

Exercising their choice of airports

Airports “have gone on a health kick,” *The Wall Street Journal* says, and Cleveland is part of the trend.

“Dallas-Fort Worth International Airport and San Francisco International Airport both now offer free yoga rooms in terminals,” the newspaper reports. “Several airports, including Indianapolis, Cleveland, St. Louis and DFW, have laid out half-mile walking paths through terminals in conjunction with the American Heart Association, hoping to turn 'mall walkers' into 'terminal walkers.'”

Many U.S. airports also are pushing vendors to offer options that are lower in fat and calories — “even writing healthy-food requirements into new leases,” according to *The Journal*.

More passengers are looking for healthy options, experts say, but the

newspaper notes there's a financial incentive driving some of the changes.

“Though most travelers buy airline tickets based on price, schedule and carrier, airports believe that savvy fliers also consider which airports are most inviting for connections,” according to *The Journal*. “A choice of layovers in Chicago or Atlanta, Dallas or Houston, may not seem important to most travelers, but it's crucial to airports, which get much of their revenue from a 'passenger facility charge' built into fares.”

This and that

The downside of experience: “Washington insider.”

That's a cliché, but it's also the message Democrats would emphasize if presumptive GOP nominee Mitt Romney picks U.S. Sen Rob Portman of Cincinnati as his running mate, according to [this *Washington Post* story](#).

Sen. Portman's “two decades of Washington experience includes a stint at the D.C. lobbying powerhouse Patton Boggs, where he registered as a foreign agent and advocated for duty Free Shoppers, a Hong Kong-based operator of airport and other duty-free stores,” *The Post* reports. “The company has had a web of offshore affiliations, records show, including incorporations in Bermuda and the Netherlands Antilles, often used as tax havens.”

The story notes that as a member of the House of Representatives, Sen. Portman's PAC “accepted \$4,000 from Indian tribes represented by D.C. superlobbyist Jack Abramoff — convicted in a scandal that came to symbolize Washington corruption — along with \$500 from a convicted colleague of Abramoff.” (However, records show that many Republicans, and some Democrats, accepted similar tribal donations.)

Follow the money: Bloomberg reports that Hard Rock International Inc., which operates hotels, casinos and themed restaurants/bars, is in talks with investors to raise \$250 million to expand its lodging business.

One of the hotels the company plans to build is at Northfield Park, where Hard Rock envisions a big gaming and entertainment complex.

"We can go to cities that we feel are important to the strategic growth of the hotel platform," Hard Rock executive vice president Michael Shindler tells Bloomberg. "Without the capital, some of the deal opportunities that might come to us might not be precisely in the market that we want to be in."

The news service reports that Hard Rock's discussions with investors "are in early stages and focused on creating a fund in which it would be a partial investor."

Hands on: There seems to be a lot of weird stuff in the 175-year-old National Library of Medicine in Bethesda, Md., some of it courtesy of a Cleveland doctor from the early 1900s.

The New York Times says that while the library is best known for its PubMed digital catalog of biomedical literature, it has a voluminous analog past.

"In this case, that amounts to more than 17 million books, pamphlets, prints, and other assorted memorabilia," *The Times* says. A fraction of that material is reproduced in a new book, "Hidden Treasure.

One set of photographs in the book consists only of hands. *The Times* says it was assembled in 1908 by a Cleveland dentist interested in

chirognomny, which is "the science of deducing the characteristics of a man from the shape of his hands."