

# WASHINGTON Examiner

## How Trump's Supreme Court nominees may, or may not, follow Scalia

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November 21, 2016

Congressional Republicans are itching to dismantle Obamacare, but a group of conservatives say the current plan to take down key parts of the law is not quick enough, and is already pushing for alternatives that completely and immediately repeal it entirely.

Republicans in the House and Senate have pointed to a repeal bill that was approved last year through a procedural move called reconciliation as a means to quickly gut the law after Trump assumes office in January. Reconciliation bills require only a simple 51-vote majority as opposed to 60 votes to break a filibuster, which means they're a way to quickly pass a proposal in the Senate.

Republicans haven't announced what would be included in a new reconciliation bill, but a top conservative group is pushing for any package to go much further than the one President Obama already vetoed this year.

"We obviously need to do reconciliation but the bill needs to go further to make sure that we get all of Obamacare," said Dan Holler, spokesman for Heritage Action, the political advocacy arm of the right-leaning think tank Heritage Foundation.

Reconciliation may only be applied to budgets and spending. The Senate parliamentarian must approve any bill that seeks to use reconciliation to ensure it does apply to budget and taxes.

To ensure approval, Republicans wrote the reconciliation measure to gut major parts of Obamacare, but not repeal the law entirely.

The bill repealed the vast majority of Obamacare taxes such as the medical device and health insurance tax. It also would end the law's individual mandate for everyone to get health insurance, and end the requirement that employers with less than 50 employees must provide insurance to their workers.

But Holler said the reconciliation bill leaves in place insurance regulations that are "directly responsible for rising premiums." Those regulations dictate the minimum benefits that insurers must provide in plans.

Heritage Action is once again pushing for lawmakers to offer up a reconciliation package that repeals the full law, arguing that it will meet Senate rules for a reconciliation bill. And Heritage Action is not alone, as another conservative group has qualms with the reconciliation bill.

"It doesn't repeal the most harmful parts of the law, specifically the community rating price controls," said Michael Cannon, director of health policy studies for the libertarian think tank Cato Institute.

The community rating price controls require health insurers to offer policies within a certain territory the same price for everyone. Such price controls were put into Obamacare to prevent insurers from charging people with preexisting conditions much higher prices than people in their coverage area.

Republicans next year "should go further by including all of the private insurance regulations, particularly the price controls, in a reconciliation bill," Cannon said.

Cannon noted that Obamacare could be repealed entirely through reconciliation because it is an entire program that includes the mandate, the subsidies to lower the cost of insurance and the community rating controls.

"Everyone agrees this is all one program," he said. "If the [Senate] parliamentarian doesn't share that interpretation then I would say the parliamentarian is incorrect."

The reconciliation package approved this year included a two-year transition period that would keep Obamacare intact while a replacement is created.

The issue is even trickier, because conservatives are also seeing reconciliation as a chance to impose other reforms. For example, anti-abortion groups see the package as a prime opportunity to defund Planned Parenthood. The reconciliation package Congress passed earlier this year included a provision to defund the women's health and abortion provider, which gets around \$500 million a year in federal funding.

Groups such as the Susan B. Anthony's List and the National Right to Life are pushing for the provision to be included again, and remain optimistic it will be. If it isn't, then Republicans may have a fight on their hands.

"We reserve the right to sink the ship if the pro-life cargo gets dumped," said Douglas Johnson, legislative director for National Right to Life.