

Can we trust the promise that IPAB will not ration health care for senior citizens?

By John Grimaldi

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Washington, DC - There's been little news in recent months about the Obamacare provision that creates an Independent Payment Advisory Board. "This, despite the extraordinary powers the IPAB would have over the delivery of health care services to Americans," according to senior citizen advocate Dan Weber.

Weber, who is president of the Association of Mature American Citizens, noted that the White House has yet to nominate members of the IPAB. "Perhaps it's because the pervasive and intrusive nature of the board would be exposed at a time when liberals can ill afford such disclosure. They'd be hard pressed to defend the so-called Death Panel come the November mid-term elections," he said.

"Remember the promise that you could keep your doctor under Obamacare. Can we trust the promise that the IPAB will not ration health care for senior citizens?"

But, Weber, added it will be difficult to keep the panel and its extraordinary authority under wraps when Sylvia Mathews Burwell, who has been nominated to become the next Health and Human Services Secretary. She'll undergo scrutiny in the Senate before she can be confirmed and the IPAB will be a topic of discussion, he pointed out.

"She could duck the issue, but it will be difficult for her to ignore the fact that along with becoming the new Secretary, she will also become the first and only member of the IPAB and that makes her appointment highly controversial."

In a recent article published by Forbes, health care expert Michael Cannon wrote that "Under the Patient Protection and Affordable Care Act, if the Senate does not confirm any nominees to the Act's 15-member Independent Payment Advisory Board, then all of the Board's powers fall to the Secretary of Health and Human Services."

Cannon is director of health policy studies at Cato Institute highly regarded as an expert on the Affordable Care Act. As he put it: "IPAB's unelected members will have effectively unfettered power to impose taxes and ration care for all Americans, whether the government pays their medical bills or not."

It's a timely topic considering the fact that in June oral arguments will be heard by the 9th Circuit Court in a high profile law suit focused on the legitimacy of the IPAB. The plaintiff in the case, the Goldwater Institute, makes what it calls "the strongest legal challenge to date in Coons v. Geithner by arguing the federal health care law exceeds the powers of Congress and violates individual rights as well as violates the Separation of Powers doctrine."

Weber said he believes the lawsuit could have a "chilling" impact on the future of Obamacare. "It is focused on the IPAB calling the panel 'an unconstitutional delegation of Congressional powers.' And it will bring attention to how liberal elitists can easily use the law to control the lives of each and every one of us."