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Will Chris Christie wing it on health-care reform?

By Paul Mulshine - October 23, 2012

Looks like our governor's got a dead parrot on his hands.

At least that's how Michael Cannon sees it. And Cannon should know. He's the one who's killing the bird in question.

Cannon is a health care analyst at the free-market Cato Institute in Washington, D.C. After the health care reform bill known as "Obamacare" was adopted, Cannon began looking through its 2,700 pages for flaws. He claims to have found a fatal one.

It seems that in their haste to get the bill signed into law, the Democrats had no choice but to accept the Senate version. And that version is structured in such a way that individual states can decide to opt out of those state health insurance exchanges that are central to Obamacare.

Just how all this works would require this entire page to explain. So I'll let Cannon explain it:

"I feel like I'm in the Dead Parrot Sketch," Cannon said.

You'll get the reference immediately if you're a Monty Python fan. The sketch involves a pet shop customer, played by John Cleese, who is sold a "Norwegian blue parrot" by a pet shop owner played by Michael Palin. When Cleese realizes the parrot is dead, he returns it to the shop for a refund. Palin insists the obviously dead bird is simply sleeping and "pining for the fjords."

Advocates of Obamacare may soon be pining for the fjords as well, Cannon said. Oklahoma's attorney general recently sued in federal court to block Internal Revenue Service regulations essential to Obamacare. Those regs impose tax penalties on employers that fail to provide insurance for their workers.

The AG argues that the Affordable Care Act permits the feds to collect such taxes only in states with exchanges. No exchange, no tax.

Whether the court will agree remains to be seen. But for the moment, Cannon's argument is accepted among conservatives. Republican governors are being urged to thwart Obamacare by refusing to sign on to those exchanges.

The political implications are obvious for the governor whom many Republicans see as the front-runner for the 2016 presidential nomination in the event Barack Obama is re-elected. That's Chris Christie, and last week, the Democrats acted to force his hand on Obamacare. They passed a new version of a bill they passed last spring that would have created an insurance exchange in New Jersey.

Christie vetoed that bill in May on the grounds that the court had not yet decided on the constitutionality of the individual mandate. That has since been decided in Obama's favor. But Christie's stalling for time again.

"I won't make a decision until I have to," Christie said last week. He has to by Nov. 16, if he wants to meet a federal deadline for creating that exchange.

But the real question is what will happen on Nov. 6. Mitt Romney has promised that if he's elected, feathers will fly. He has pledged to reverse Obamacare.

That's pretty funny. It was Romney who hatched that egg in the first place. When he was governor of Massachusetts, Romney set up a state exchange that became the model for the Obamacare exchanges — right down to those tax penalties. If Romney wins, he'll be forced to kill his own bird, thus sparing Christie the trouble.

But if Obama wins, the real fun begins. Republicans all around the country will proclaim Christie the front-runner for the 2016 GOP presidential nomination. They'll expect him to lead the fight to dismantle Obamacare. Vetoing that bill would be a solid first step, according to Cannon.

"If Christie signs that bill and then Oklahoma wins its lawsuit, well, it sure doesn't look like Pennsylvania is going to create an exchange," Cannon said.

And that would mean we'd see Washington's crossing in reverse: "All the employers in New Jersey are going to hop in their boats and head across the river to Pennsylvania, where they can avoid that tax penalty," he said.

So that Nov. 16 deadline won't get the governor off the hook if Obama remains in the White House. He'd still have to make a tough decision.

Of course, conservatives could always hope that Christie would veto the bill simply because of his deep-seated belief that forcing people to buy health insurance is wrong.

That was a joke, of course.

I've been watching too many Monty Python clips on YouTube.