

Pro/Con Should Americans be required to purchase health insurance?

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By Gary Peters

In March 2010, President Obama signed The Patient Protection and Affordable Care Act, commonly known as “Obamacare.” Both the president and Democrats caved in early, inviting those with an “interest” in health care to the table, so this law is badly flawed. In a sense, the foxes were invited to help redesign the henhouse.

An individual mandate to buy health insurance was part of this law and is necessary in order to make sure that as many people as possible are in the insurance pool. However, this mandate looks like a gift to the insurance industry because the public insurance option, which would have been a government-run insurance program in competition with private insurers, was dropped. We should keep the individual mandate because “Obamacare” looks better than no change at all to our health care system. Republicans would gladly accept a mandate that prevented doctors from performing abortions, so the issue isn’t the “mandate” so much as maintaining profits for involved players.

American politicians are masters at masking their real agendas beneath layers of phony phrases and half-truths. Nowhere has this been better demonstrated than with health care. For example, Speaker John Boehner has said that America has the best health care system in the world. That is, at best, a half-truth. It would be closer to the truth if we added “for those who have health insurance,” but even then it falls short, mainly because so many Americans lack health insurance and there is no public insurance option to compete with private insurers.

In comparative studies of health care outcomes the U.S. ranks first in only one category: cost.

It does not produce the best results as measured by outcomes nor does it offer the universal coverage provided by the health care systems of every other affluent nation in the world, and many poorer ones as well. According to USA Today, as many as 50.7 million Americans were without health insurance in 2010.

In late 2011, the Organization for Economic Cooperation and Development (OECD) released its latest study of health care in its 34 member countries, plus an additional six

nonmembers. It confirmed one thing: The United States spends more per capita on health care than any other country in the OECD. The average expenditure per person in the United States was \$7,960, substantially higher than the OECD average of \$3,233 and more than twice the \$3,873 spent in France.

A combination of hubris and mendacity allows Republicans (and many Democrats) to continue this delusion of superiority. Their agendas are not well hidden. They seek to maintain or expand the flow of health care dollars that go to the medical-industrial complex — the insurance industry, pharmaceutical companies, hospitals and organized medicine. It is about profits, not people. We pay for far more than we get.

The most comprehensive comparative study of health care systems was done by the World Health Organization in 2000. Though it is dated and was never perfect, it remains instructive. Did the United States rank No. 1? No, that honor went to France. Then we must have been second, right? No, that was Italy. The United States ranked 37th! This brings out another common Republican lie, “Those other countries all have socialized medicine.” Their implication, though false, is that all those other systems are run by their governments and would be inappropriate for our “free enterprise system.” Translated into simple English, Republicans prefer profits to people.

Two other useful indicators of national health and well-being are average life expectancy at birth and the infant mortality rate. According to the CIA’s World Factbook, Monaco ranks No. 1 in average life expectancy at birth; Japan, at No. 5, is the highest ranked more populous nation. The United States ranked 50th. As for infant mortality rates, the same source ranks Monaco No. 1. Sweden and Japan are the highest ranked more populous nations, at Nos. 4 and 5 respectively.

The United States ranked 49th.

Why do we rank so poorly on outcomes despite spending so much on health care? We have failed to make a simple moral decision to provide every American with basic health care, which would fit with our earlier emphasis on “life, liberty, and the pursuit of happiness.” Instead, whereas every other wealthy nation on the planet has made that moral decision and delivers on that promise without spending half as much money per capita on health care as we do, we have opted for a system that places profits above people.

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Mandate has no basis in Constitution

By John Allan Peschong

The Patient Protection and Affordable Care Act (Obamacare) is rapidly approaching its day in the Supreme Court. This controversial bill has helped polarize our country even before most of its provisions have taken effect. Based on its individual mandate, which fines people who don't purchase health insurance, the bill should be struck down as unconstitutional. Due to its unpopularity and price tag, the bill should be repealed.

The individual mandate within Obamacare marks the first time the federal government has attempted to force Americans to purchase a private-industry product. Supporters of the individual mandate are citing the Commerce Clause in the Constitution as justification for this, but when one reads the actual clause the argument seems unreasonable. Author and professor of law Richard A. Epstein stated the following in a Stanford University journal: "Looked at from the vantage point of the original Constitution, Obamacare should be dead on arrival."

The reason behind his frankness is simple: The Commerce Clause explicitly states, "(The Congress shall have Power) To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." If Americans choose not to engage in commerce, then there is nothing to regulate. Therefore, the individual mandate has no base in the Constitution.

Nevertheless, the individual mandate was the linchpin that Obamacare was constructed around. President Obama and Democratic leaders forced this ill-advised, partisan bill through both houses of Congress without a single Republican vote. In order to secure passage, Senate Majority Leader Harry Reid handed out several sweetheart deals to hesitant Democratic senators in the final days before the vote. The most notorious was the "cornhusker kickback" for Democratic Sen. Ben Nelson of Nebraska. The deal gave Nebraska a permanent exemption from the cost of Medicaid expansion, which means that the federal government will cover all future costs.

Deal-making is common on Capitol Hill, and compromise between legislators is good and expected. However, buying individual votes with sweetheart deals for certain states at the expense of the rest of the nation seems excessive, to say the least. If the bill were written well enough in the first place, deals like these wouldn't be needed to buy votes.

These brash tactics only served to deepen the divide in the country and resulted in an even more sharply partisan Congress. The unproductive environment in Washington was cited by Standard & Poor's as a reason for downgrading our country's credit rating for the first time in history.

So this raises the question: In the worst economic climate since the Great Depression, why did the president and Democratic lawmakers choose to spend so much time and political capital forcing this bill through? Shouldn't they have focused on the economy first?

It seems like most Americans would agree. In recent CNN/ORC polls, an increasing majority of Americans disapprove of the way President Barack Obama is handling the

economy and health care policy.

Now new reports are projecting that Obamacare will cost much more than was touted by the White House and Democratic lawmakers. Author and senior fellow at the Cato Institute, a public policy think tank, Michael Tanner stated that the act, “will cost more than \$2.7 trillion over its first 10 years of full operation, and add more than \$823 billion to the national debt.” This doesn’t include, “more than \$4.3 trillion in costs shifted to businesses, individuals, and state governments.”

In March, the Supreme Court will hear arguments brought by 26 states arguing that President Obama’s health care overhaul overstepped the Constitution by requiring Americans to purchase health insurance or pay a fine. It’s likely the justices will hear arguments that if the individual mandate stands, then the federal government can mandate just about anything, from purchasing a hybrid car instead of a truck to buying nonfat milk versus whole milk.

When considering the federal government’s power to force Americans to purchase a product, i.e. the individual mandate, let’s remember the role for which the founders intended our federal versus state governments to have. As James Madison said in the Federalist Papers, the powers of the federal government under the Constitution are “few and defined.” The powers in state governments are “numerous and indefinite.”

Obamacare with its individual mandate has no justification within the Constitution. Considering this, and that a growing majority of Americans disapprove of the president’s health care policy, it is safe to say this law is unconstitutional, overpriced and unwanted. Whether stricken down by the Supreme Court or repealed by Congress , it must go.

John Allan Peschong served in President Reagan’s administration at the White House and later as a senior strategist for the campaigns of President George W. Bush. He is a founding partner of Meridian Pacific Inc., a public relations and public affairs company. He currently serves as chairman of the San Luis Obispo County Republican Party.