

US won't ask for review of court's health care ruling

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The Obama administration said Tuesday it would not ask a US appeals court to reconsider its finding that part of the landmark health reform bill is unconstitutional.

Legal observers said the decision makes it likely that the [legal challenge](#) to the [health care reform](#) law -- the signature domestic achievement of Barack Obama's presidency -- will be heard by the US Supreme Court, which begins a new session next week.

A spokeswoman with the [US Justice Department](#), Tracy Schmalzer, told AFP the the administration "didn't seek en banc review" of last month's decision by a Georgia appeals court, which ruled that part of the law is unconstitutional.

Schmalzer added that the Justice Department is "not commenting further at this point."

The August 12 ruling by a three-member panel of the Atlanta-based 11th Circuit Court found the Congress exceeded its mandate in passing the provision of the law requiring individuals to purchase health insurance.

The administration could have opted to ask the full court to reconsider the ruling -- a process that could have dragged on for months.

It decided instead to skip the full review in the Georgia court, increasing the likelihood that the [US Supreme Court](#) will be asked to hear the case

during its upcoming term.

In that case, the decision would fall just weeks before the November 2012 presidential election, and would provide him either a major reelection boost, or an embarrassing defeat that would diminish his chances of winning a second term.

The [health reform](#) bill, which extends coverage to an extra 32 million people and will require all Americans to buy medical insurance by 2014, reflects a long-held dream of Democrats.

The White House argues that those who choose not to buy insurance in the US private [medical system](#) hurt everyone else, because taxpayers end up subsidizing their care when they are taken to emergency rooms.

It also justifies the individual mandate by saying that without it, people would wait until they get sick to apply for coverage, which would cause insurance premiums for everyone to rise.

But Republicans strongly oppose the law, which they have dubbed "Obamacare," as an infringement on individual liberty, and have sworn to repeal it.

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