

US appeals panel upholds Obama health care law

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A US appeals court panel Tuesday upheld the constitutionality of President Barack Obama's landmark health care overhaul, in the latest legal challenge to the law which is expected to end up at the Supreme Court.

The three-judge panel in Washington, in a 2-1 decision, said the most controversial element of the law -- mandating that people buy health insurance or face a tax -- was not a violation of individual rights.

"It certainly is an encroachment on individual liberty, but it is no more so than a command that restaurants or hotels are obliged to serve all customers regardless of race," Judge Laurence Silberman wrote in his opinion.

"The right to be free from federal regulation is not absolute, and yields to the imperative that Congress be free to forge national solutions to national problems, no matter how local -- or seemingly passive -- their individual origins."

But the case is among several working through the court system in various states, suggesting the US Supreme Court will have to decide on the constitutionality of the law, which Obama has hailed as a key achievement but which conservatives claim oversteps his authority.

The White House welcomed the news, saying in a statement: "The ruling is yet another victory for the millions of Americans who are already

benefiting from the law, including the parents of children with preexisting conditions, women getting mammograms with no out-of-pocket cost, seniors saving hundreds of dollars on their prescription drugs, and one million young adults now newly insured through their parent's plan."

The statement said it was the third time a federal appeals court has ruled in favor of the law.

Earlier this year, a federal appeals court in Georgia ruled in August that the individual mandate exceeded Congress's powers.

But that court also ruled that the remainder of the health care law, which extended coverage to an extra 32 million people and was a long-held dream of Democrats, was within the bounds of the constitution.

Republican opponents of the law say the government has no power to compel people to buy health insurance and have vowed to repeal the law in the courts and eventually replace it through new legislation.

A group of 26 states and small businesses have called on the Supreme Court to strike down the totality of Obama's reform.

If the Supreme Court does decide to weigh the case, arguments would follow and the justices would be expected to rule by the end of their term in June 2012, in a judgment likely to reverberate before the November general election.

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