

Obama's health care law

March 23 2012

The US law that extends health insurance coverage to most Americans, dubbed "Obamacare" by its detractors, is 2,400 pages long but only certain points have been challenged before the US Supreme Court.

-- THE INDIVIDUAL MANDATE --

Beginning in 2014, every US citizen will be obliged to take out [health insurance](#), either individually or through their employer, or be subject to sanctions. The only exceptions are members of certain faiths, prisoners, elderly or disabled Americans covered by Medicare, and those covered by [Medicaid](#), the insurance program for the poor.

It is the most controversial element of the law, one challenged by 28 states. Opponents argue that the Congress overstepped its constitutional prerogatives in requiring individuals to buy insurance, while the administration contends that the Congress was on solid ground by virtue of constitutional provisions on trade and taxes.

The Supreme Court has set aside two hours Tuesday to hear the arguments. But it will first spend 90 minutes on Monday considering whether it has standing to rule on a measure that has not yet entered into force. If it decides it does not, the debate on the individual mandate provision will be put off until at least 2014.

-- PRE-EXISTING CONDITIONS --

Beginning in 2014, [insurance companies](#) must extend coverage to all

comers without regard to pre-existing [health conditions](#).

This point has not been challenged but it may not survive if the individual mandate is judged anti-constitutional. The court would have to determine whether the law could survive without this key measure. The justices will spend 90 minutes on this issue Wednesday.

-- COVERAGE OF THE POOR --

The income levels for those eligible for coverage under Medicaid, the [government insurance](#) program for the poor, are raised to 133 percent of the [poverty level](#), extending the benefit to 16 million Americans.

The states appealing to the court say this reform would involve a notable transformation of the federal-state partnership in the financing of Medicaid. The administration assures that the additional cost will be financed entirely by the federal government. The Supreme Court will spend a half hour deliberating on this aspect of the law on Wednesday.

-- THE MARKETS --

Each state is to create a marketplace by 2014 where individuals and employers can compare insurance policies and rates and sign up for coverage. Some part of the population and small businesses could be eligible for government assistance. Businesses with more than 50 employees who have not offered their employees coverage by 2014 must pay a fine.

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