

# Supreme Court to reignite US health care debate

March 23 2012, by Stephen Collinson

---

History may judge Barack Obama's health care plan either as the anchor of a legacy of reform, or an emblem of a presidency born in high ambition but dragged down by political reality.

Which narrative prevails could partly be decided by a Supreme Court case on the [constitutionality](#) of the law opening next week, and by November's election, which will decide whether the president wins a second term.

The [Affordable Care](#) Act, passed after a bitter struggle against blanket Republican opposition in 2010, granted 30 million Americans [health](#) insurance for the first time, bringing universal coverage closer than ever before.

The Supreme Court case is sure to reignite a fierce political debate on the controversial reform, just as Obama cranks up the pace of his reelection bid, and as the race for a [Republican nominee](#) to battle him reaches a crucial stage.

Obama touts the [health law](#) in every meeting he holds with like-minded Democrats, styling it as a promise kept from his 2008 election win.

"Change is, yes, [health care reform](#)," Obama said at a fundraising event in Georgia last week.

"Now we've got reforms that will ensure that in this great country of ours

you won't have to mortgage your house just because you get sick," Obama said.

The law also featured heavily in a 17-minute campaign film produced by the Obama camp designed to tout achievements of his presidency.

For Obama, who pressed on with [health reform](#) though some aides suggested it could be politically ruinous at the height of an [economic crisis](#), sees the law in highly personal terms.

He often cites the pain of his late mother who was forced to agonize about paying for her treatment as she lay dying of cancer.

But the debate is equally personal to Republicans vying to oust Obama in November as many see the law's mandate for all Americans to buy insurance as trampling individual freedom and building a dependence on government.

"If Obamacare is implemented every single American will depend on the federal government for something that is critical -- their health and their life," Republican candidate Rick Santorum said Tuesday.

Republican front runner Mitt Romney has vowed to repeal the law -- though he is a flawed messenger as a reform he championed as Massachusetts governor is similar to Obama's approach.

Polls show that Obama's health law is still a tough sell politically, meaning that he is deprived of the chance to campaign hard on what may be his proudest domestic achievement.

A USA Today/Gallup poll in February found that only 38 percent of voters in crucial election swing states said that the passage of health reform was a good thing, while 53 percent said it was a bad thing.

Obama aides however counter that aspects of the law, for instance a bar on insurance firms refusing patients with pre-existing conditions and a provision letting parents carry student children on their insurance, are more popular.

Senior White House officials say they are not certain how the case, and a judgment that could come as soon as June, will play out politically.

Obama will not openly advocate for his law or take public positions on the intricacies of the case, since that might be seen as an attempt to influence another branch of the US government.

But senior Obama aides insist the law will stand up in the Supreme Court, despite conflicting judgments in lower courts.

"We're confident that the individual responsibility provision within the Affordable Care Act is constitutional," said White House spokesman Jay Carney on Wednesday.

"I'm confident in our legal arguments."

The Obama campaign has meanwhile been organizing events and mailings to tout the benefits of the reform, which does not fully come into force until 2014 -- a factor supporters say contributes to its current unpopularity as many Americans are yet to feel the perceived benefits.

It seems clear that a decision by the [Supreme Court](#) to throw out the law as unconstitutional would be seen as vindication for Republicans.

If the law is upheld the Republican assault would be set back, but it is unclear whether Obama would gain much political advantage.

And Republicans would still have a chance to overturn the [law](#) by

capturing the presidency and Congress in November.

But if Obama wins a second term, he will be in a position to defend the act, with a presidential veto if necessary.

By the end of a second Obama term -- health reform may be so deeply entrenched in the fabric of American life, it may be impossible to fully repeal.

(c) 2012 AFP

Citation: Supreme Court to reignite US health care debate (2012, March 23) retrieved 20 June 2024 from <https://medicalxpress.com/news/2012-03-supreme-court-reignite-health-debate.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.