

Aide says Romney thinks US health mandate not a tax

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A top aide to White House hopeful Mitt Romney thrust a wrench Monday into the Republican attack line that President Barack Obama's individual health insurance mandate is a tax, arguing it's actually a penalty.

Senior advisor Eric Fehrstrom said Romney characterized it as a penalty when he instituted a similar policy while governor of Massachusetts, and essentially said there is no daylight between the Republican candidate and the president in describing Obama's individual mandate today in the same terms.

The [tax/penalty](#) debate erupted immediately after the [US Supreme Court](#) issued its historic ruling Thursday on [health care reform](#).

The court said Obama's signature domestic achievement, including its controversial individual mandate which compels Americans to either have health insurance or pay a fine, was constitutional under Congress's taxing powers.

"The governor believes that what we put in place in Massachusetts was a penalty, and he disagrees with the court's ruling that the mandate was a tax," Fehrstrom told [MSNBC](#).

Asked directly if Romney agrees with Obama that the individual mandate should not be characterized as a tax, Fehrstrom said: "That's correct."

The comments could serve to undermine the widely held Republican position that the individual mandate will usher in a massive tax hike when it comes into effect in 2014, eagerly repeated by party top brass like Senate Minority Leader Mitch McConnell.

Repealing "Obamacare," as critics call the [Affordable Care](#) Act, is a mainstay of the Romney campaign and most Republican lawmakers as they gear up for the November election, and the Republican-led House has scheduled a vote on July 11 on whether to repeal the law.

Fehrnstrom inadvertently highlighted the tricky position Romney finds himself in over the law, which insures 32 million more Americans who previously did not have insurance and prohibits companies from denying coverage regardless of pre-existing health conditions.

Romney instituted similar policies while governor of Massachusetts from 2003 to 2007, and in a 2009 opinion piece in USA Today he wrote that "using tax penalties as we did... encourages 'free riders' to take responsibility for themselves rather than pass their medical costs on to others," an argument the Obama administration uses today.

Fehrnstrom insisted though that "what we did in Massachusetts works for Massachusetts.... It was never meant to be a one-size-fits-all plan for the entire nation."

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