

US Supreme Court to review Obamacare law

March 2 2020



In this Jan. 27, 2020 photo, the Supreme Court is seen in Washington, DC. (AP Photo/Mark Tenally)

The US Supreme Court on Monday agreed to once again review former president Barack Obama's signature health care law, the target of repeated political and legal challenges over the past decade.

The top court, which had upheld the law in 2012 and 2015, will examine a suit brought by Democrats seeking to counter lower court rulings that put in question the law's constitutionality.

The nine justices will hear arguments in the case sometime in the fall and reach a decision in 2021, after the US elections in November in which health care is a major issue.

Enacted in 2010, the Affordable Care Act is one of the most ambitious in the history of the US health care system.

In its original form, it required Americans to buy health insurance or face a financial penalty. It also required insurance companies to offer policies to any potential client, regardless of the state of their health.

The law enabled some 20 million previously uninsured Americans to become insured, in a country where the cost of medical care is extremely high.

But Republicans from the start have regarded the obligation to provide insurance as an abuse of government power.

Since his arrival in the White House, Donald Trump has frequently attacked Obamacare, suffering a major setback in 2017 when Congress, by a razor-thin margin, refused to repeal the law.

Republican lawmakers nonetheless have sought to amend the law, and in 2017 suppressed a provision that imposed fines on anyone who failed to buy insurance.

In upholding the law in 2012, the Supreme Court had found that the fines could be considered taxes and therefore fell under Congress's constitutional powers.

Several Republican-led states went on to file suit arguing that once the fines were eliminated, the law lost its constitutional basis.

In December 2018, a federal judge in Texas ruled in favor of the Republicans.

The judge, Reed O'Connor, ruled that the fines were the keystone holding up the law, which falls once they were removed.

The decision, suspended pending review, was partially validated in December 2019 when a federal court of appeals ruled that the requirement to obtain insurance was illegal, but left it to another court to decide whether the law as a whole was unconstitutional.

The Democrats then asked the Supreme Court to intervene, which it agreed to do Monday without giving a reason, as is customary.

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