

This Week in Health Care Reform: March 26, 2010

Health care reform legislation passed the House this week on a party-line vote. Late Sunday night, House Democrats approved the Senate health care reform package, sending the legislation to President Obama for his signature. President Obama has signed the underlying bill into law; the House has yet to finalize the package of fixes that will alter the final implications of the legislation.

As the health care reform debate continues to take shape this year, we encourage you and others to engage members of Congress by visiting the [Health Action Network](#).

Health Care Reform

House Democrats Pass Health Care Reform Package: The House of Representatives [approved](#) the Senate health care reform bill Sunday night by a vote of 219 to 212. The vote marks the climactic [finale](#) to a year-long debate over health care reform. In the final vote, 34 [Democrats](#) joined all House Republicans in voting against the measure. Shortly after, the House also passed a package of fixes – 220 to 211 – that was sent directly to the Senate for its approval through reconciliation. On [Tuesday](#), President Obama [signed](#) into law the Senate health care reform bill, called the “Patient Protection and Affordable Care Act.”

Republicans Force Senate to Send the Reconciliation Bill Back to the House: Shortly after the President signed the Senate bill into law, Senators began deliberations on the reconciliation bill. Reconciliation protocol restricts Senators to 20 hours of debate on the measure, but does not limit the number of amendments that can be filed. In an expression of opposition to the bill, [Republicans](#) filed 29 amendments to the reconciliation package.

After 10 hours of continuous [debate](#), Republicans were successful in eliminating two [provisions](#) related to college financial aid in the non-health care portion of the bill. The Senate parliamentarian ruled early [Thursday morning](#) that those two provisions violated the chamber's rules, sending the legislation back to the House for a new vote. Therefore, on Thursday afternoon, the Senate voted on the [reconciliation bill](#) without those two provisions and sent the bill back to the House for a vote on final passage. The House vote will likely come Thursday evening.

What the Health Care Reform Law Means: While the health care reform [bill](#) extends insurance coverage to 32 million more Americans by 2019, the legislation has other far-reaching [implications](#) that will be phased in sooner, during a multi-year implementation period.

Several [features](#) of the new health care overhaul bill that would take effect in 2010 under the measure passed Sunday include:

- New product requirements beginning 6 months after enactment, including:
 - Coverage for dependents up to age 26;
 - No lifetime maximum benefit limits;

- And no cost sharing on preventative care for certain policyholders.
- Federal temporary high-risk pools;
- Tax credits for small employers; and
- Prohibition on pre-existing condition exclusion for children (beginning 6 months after enactment).

Most Americans will have until 2014 to purchase insurance or pay a penalty. In addition, other [elements](#) of the bill that will not take effect until at least 2014 include insurance marketplaces called "exchanges," rules requiring insurers to accept all applicants regardless of pre-existing conditions, and an expansion of state Medicaid programs.

A number of [experts](#) question whether health care reform will really drive down insurance premiums. America's Health Insurance Plans ([AHIP](#)), the [trade group](#) representing health insurers, outlines a series of concerns related to the legislation including a lack of provisions that address underlying health care costs, improve quality, and ensure a stable risk pool. In addition, they expressed concerns regarding new taxes on health coverage which will likely increase premiums.

Additional Activities

Obama's Executive Order on Abortion Funding: On Sunday afternoon, prior to the final House vote on health care reform, President Obama agreed to issue an Executive Order that would uphold the ban on federal funding for [abortion](#). In so doing, he secured about a half-dozen votes from anti-abortion Democrats, led by Rep. Bart Stupak (D-MI), who previously opposed the legislation. On [Wednesday](#), President Obama signed the [Executive Order](#) banning the government from spending federal money to pay for abortions through plans offered on the insurance exchanges created under the measure.

States Filing Lawsuit to Fight Provision of Health Care Reform Bill: In response to the new health care reform legislation, states across the country have filed lawsuits asking the courts to declare the law unconstitutional and to bar its enforcement. On Monday, Attorneys General in 13 states—led by Florida—filed a [joint](#) lawsuit claiming that the new health care reforms violate state government rights in the U.S. Constitution and will force massive new spending on hard-pressed state governments. Joining [Florida](#) in the suit are Alabama, Colorado, Idaho, Louisiana, Michigan, Nebraska, Pennsylvania, South Carolina, South Dakota, Texas, Utah, and Washington.

At the same time, the Attorney General in [Virginia](#) filed a separate suit contending that Congress has exceeded its power in mandating that people buy health insurance. Virginia Attorney General [Ken Cuccinelli](#) argues that the new law's requirement clashes with Virginia law that exempts citizens from federal fines imposed for not owning health insurance.

Senate Voting to Extend COBRA until May 5: Senate Democrats plan another short-term extension of [unemployment](#) aid this week, setting up a face-off with [Republicans](#) vowing to fight the extension if the \$10 billion cost isn't offset with spending cuts. The

bill, set to expire on [April 5](#), would extend a series of emergency programs including funding for unemployment insurance benefits and COBRA health coverage for the jobless. It would also hold off a deep cut in reimbursement rates for doctors who serve Medicare patients. The long-term [extension](#) has already passed in both the House and Senate, but the two measures are not expected to be reconciled and sent to the President's desk until after the Easter recess.

President Obama Heads to Iowa to Speak on Health Care: [President Obama](#) headed to Iowa on Thursday to increase support for his health care legislation. This was President Obama's first [trip](#) out of Washington since signing health care reform legislation earlier this week. He spoke at the University of Iowa, in the city where he first announced his health care proposal during the Presidential campaign.

Public Opinion

Most Americans Want Republicans to Fight Health Care Reform Bill: In a recent [CBS News](#) poll, 62 percent of Americans want congressional Republicans to continue challenging the bill, while 33 percent say they should not. Disapproval of the bill has remained steady with 46 percent saying they disapprove, including 32 percent who "strongly" disapprove. A majority of Americans continue to say that they find the bill to be confusing and do not understand what it means for them or their family.

Americans Split on Health Care Reform Passage: In a recent [USA Today/Gallup](#) poll, 42 percent of Americans said they were angry or disappointed with the recent passage of health care reform legislation. When asked to reveal party affiliation, [79 percent](#) identified themselves as Republicans.

Polling Shows Support for State Lawsuits Against Government: National polling reveals significant opposition to the individual mandate. In a newly released [Rasmussen report](#), 53 percent of those polled oppose the new mandate requiring every American to buy or obtain health insurance. Further, 49 percent of voters are in favor of their state suing the federal government to fight the mandate. 51 percent say individual states should have the right to opt out of the health care plan entirely.

Looking Ahead

After this week's final health care reform vote, President Obama plans to travel the country in the next few months to discuss the law. Republicans have begun their own discussions of the law, with an eye towards the November elections.