



Health Care Reform Update—Headed for Court

This week, the U.S. Supreme Court announced that it will hear arguments relating to constitutional challenges to the Patient Protection and Affordable Care Act (PPACA). Hearings are expected throughout spring 2012, with a decision before its term ends in June 2012. The court will review four areas of PPACA:

1. **Individual Mandate**—did Congress overstep its bounds in requiring that individuals maintain “minimum essential coverage” beginning in 2014?
2. **Severability**—if the individual mandate provision is invalidated as unconstitutional, how will this impact the other PPACA provisions?
3. **Anti-injunction Act**—are private individuals and states barred from challenging the constitutionality of the individual mandate by the Anti-Injunction Act, which prohibits legal challenges to taxes until after the tax is collected?
4. **Medicaid**—did Congress exceed its constitutional authority in expanding the Medicaid program?

The court is scheduled to hear 5 1/2 hours of oral arguments—a modern record for arguments on a single dispute. The justices have made it clear they want to take a comprehensive look at the law. A ruling could determine the federal government’s power to address the most pressing social problems, specifically how to ensure medical coverage nationwide. The decision is likely to be announced in late June, right before the Republican and Democratic conventions for the 2012 presidential election.

This is predicted to be the most heavily covered Supreme Court case in history.

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