

In June, the Supreme Court handed down its decision that found the health care reform law – the Affordable Care Act (ACA) – to be constitutional, with one exception. If you recall, the Court was asked to determine two things: whether the individual mandate was allowed, and whether the Medicaid expansion could be imposed on states.

The Court ruled that the individual mandate was allowable and upheld the law. The Administration had argued that the individual mandate was allowable under the Constitution's 'commerce clause' (Article I, Sec. 8, Clause 3) but the court found that claim to be weak. Instead, the Court's decision was predicated on its interpretation of the law as a tax for public services and thus acceptable under the Constitution's taxation authority (16<sup>th</sup> Amendment). The individual mandate was upheld and will become effective in 2014.

The Court saw Congress' action differently when it came to the law's expansion of Medicaid. The Court said that the law couldn't force states to expand their Medicaid programs, but must give them the choice of opting out. However, the Court reiterated that its decision did not mean states could dismantle current Medicaid programs already in existence; those had to be continued. Its decision was limited to the expanded Medicaid strategy under the ACA. Some states are moving in the direction of opting out of the expanded program which is unfortunate. The Congressional Budget Office estimates this could lead to an additional 3 million Americans who will continue to be without insurance or health care options who might otherwise have had access before the court decision. California will not opt out; its expanded Medicaid program is being set up and will be a robust program that may incorporate upwards of 6 million new beneficiaries.

What does all this mean for you? In many ways, it won't mean any disruption at all. If you have health insurance now, you should be able to keep it as is.

In fact, what you may not realize is that many of the "upgrades" in health care since 2010 are the result of the ACA. For example, children can remain on their parents' health insurance policy until age 26. That is new and it is law and it is helping many young adults fresh out of college get settled and not have to worry immediately about health care coverage.

Also, in law now, are new rules that prohibit health insurance companies from denying children with pre-existing conditions from being covered. So parents with children who have autism, or diabetes or asthma or any other pre-existing condition cannot be turned away. In 2014, this pre-existing condition provision will be expanded to include adults.

If you are a senior and you have Medicare Part D to cover your prescription drug costs, the "donut hole" that requires you to pay full fare for pharmaceuticals is gradually closing. Already the "hole" has been reduced by over \$500 and the new law says if you hit the donut hole you are automatically eligible for a \$650 rebate. In addition, seniors will now receive Medicare preventive services without paying any co-pays, coinsurance, or deductibles.

Under the ACA, all businesses are encouraged to cover their workers; employers will get a tax

credit to help them do so if the cost is too high for them to bear alone. But the idea is that every worker in America will have health insurance.

If you want help in figuring out your own personal situation and what types of health care services are available to you, you can check this website to determine your options: [www.healthcare.gov](http://www.healthcare.gov)

. If you would like to read the Supreme Court decision on the ACA, you can do so here: [www.supremecourt.gov/opinions](http://www.supremecourt.gov/opinions)

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Now that the Supreme Court has settled the question of viability of the ACA, I look forward to working to perfect it and making it work seamlessly for Americans. Talk of repeal not only is a waste of time, it does nothing to advance health care equity in America. This is a country of 40 million people without access to affordable health care. The ACA will change that and in doing so, make us a stronger country.