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Fans, critics pleased court will tackle reform law

By Joe Carlson
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In contrast to the sharp rhetoric surrounding the Patient Protection and Affordable Care Act through its nearly three-year path from presidential proposal through implementation, all sides on Monday agreed that they were happy the Supreme Court will take up the appeal of the law.

The high court on Monday agreed to hear a total of 5½ hours of live debate on four questions about the law during arguments likely to be scheduled for March, which would allow enough time for the court to release a final opinion on the law by June 2012.

“The timing is of course not insignificant, in that they would likely be releasing an opinion by the end of the next term, which would put it in the midst of a presidential campaign,” said attorney Steve Weiner, who chairs the healthcare law section of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo.

The White House, whose petition for certiorari to the Supreme Court included two of the four questions that will be debated, said it was pleased the court had granted its request, according to a written statement from Communications Director Dan Pfeiffer. “We know the Affordable Care Act is constitutional and are confident the Supreme Court will agree,” Pfeiffer said.

Meanwhile, Republican House Speaker John Boehner (R-Ohio) said he hoped for a different result

from the court. “This government takeover of healthcare is threatening jobs, increasing costs, and jeopardizing coverage for millions of Americans, and I hope the Supreme Court overturns it,” Boehner said in a statement.

The National Federation of Independent Business, a national business-rights advocacy group based in Nashville, whose petition was accepted for arguments by the court, said self-employed workers and small businesses were looking forward to challenging the reform law's mandates and changes.

“The small-business community can now have hope,” the group said in a written release. “Their voices are going to be heard in nation's highest court.”

The Supreme Court granted arguments on the somewhat novel question of whether the federal government's efforts to cajole an expansion of state Medicaid rolls were illegally coercive—an argument advanced by 26 states and state officials, including the lead plaintiff Florida.

“We are hopeful that by June 2012 we will have a decision that protects Americans' and individuals' liberties and limits the federal government's power,” Florida Attorney General Pam Bondi said in a statement.

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