

Supreme Court Upholds Majority of Obama's Healthcare Reforms by 5-4 Margin

Per the excellent live coverage at SCOTUSBlog of the Supreme Court's decision in the constitutional challenge to the Affordable Care Act,

The bottom line: the entire ACA is upheld, with the exception that the federal government's power to terminate states' Medicaid funds is narrowly read.

The reporters had quick access to physical copies of the opinion, and found the explanation of the Mandate Status in the majority opinion.

"Our precedent demonstrates that Congress had the power to impose the exaction in Section 5000A under the taxing power, and that Section 5000A need not be read to do more than impose a tax. This is sufficient to sustain it. "

Updates, with links to the full opinions, to follow.

UPDATE: SCOTUSBlog's Amy Howe has a great bird's eye view:

In Plain English: The Affordable Care Act, including its individual mandate that virtually all Americans buy health insurance, is constitutional. There were not five votes to uphold it on the ground that Congress could use its power to regulate commerce between the states to require everyone to buy health insurance. However, five Justices agreed that the penalty that someone must pay if he refuses to buy insurance

is a kind of tax that Congress can impose using its taxing power. That is all that matters. Because the mandate survives, the Court did not need to decide what other parts of the statute were constitutional, except for a provision that required states to comply with new eligibility requirements for Medicaid or risk losing their funding. On that question, the Court held that the provision is constitutional as long as states would only lose new funds if they didn't comply with the new requirements, rather than all of their funding.

UPDATE: Supreme Court Opinion now posted online.

UPDATE: Lyle Dennison of SCOTUSBlog also has a great primer for reading the opinion here.

UPDATE: Lyle Dennison's First Blog Post on the Decision is up. Really can't give enough credit to SCOTUSBlog for how well they've covered it.

UPDATE: Also at SCOTUSBlog, Kevin Russell explains that States now have a choice as to whether they will join the Medicaid Expansion in the ACA.



Readers, as providers, managers, employees what are your reactions?

Software Advice Asks About

EMR Lurkers, Lookers and Buyers

Dear Readers: Here's an email I got today asking me to publicize this poll to my readers. I thought it was interesting, so here it is. I look forward to the results.

Hi Mary Pat,

Here at Software Advice, we've been getting a lot of questions about the HITECH Act and how practices can get a piece of the Stimulus pie. This got us thinking about EMR adoption rates. Has the stimulus influenced practices to buy? Or has it just reinvigorated research?

We may get some insight this Friday. Recovery.gov is supposed to post their report on stimulus spending. This will include information on any grants awarded between February 17th (the signing of the bill) and September 30th.

In the meantime, we'd like to know your anecdotes. Are more doctors buying because of Stimulus incentives? Take our survey at: Obama's EMR/EHR Stimulus of 2009 "" Creating Buyers or Tire Kickers? Be sure to come back Friday to see the results!

Thanks again for your help.

*Best,
Houston*

Houston Neal
Software Advice
www.softwareadvice.com

Office: (512) 364-0117
Fax: (360) 838-7866

Skype: hjneal

Email: houston@softwareadvice.com