

# House Passes Historic Health Care Bill

by ALAN GREENBLATT



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Charles Dharapak/AP

Speaker of the House Nancy Pelosi quoted the late Sen. Ted Kennedy after the House passed the health care bills late Sunday. "Passing health care is the great unfinished business of our country," she said. "That is, until today."

March 21, 2010

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Capping a year of legislative activity and ending decades of Democratic frustration, the House on Sunday passed a bill that would extend health care coverage to more than 30 million Americans.

Quoting a letter from the late Sen. Ted Kennedy (D-MA) to President Obama, House Speaker Nancy Pelosi said, "Passing health care is the great unfinished business of our country." She added, "That is, until today."

As the GOP promised, not a single Republican voted for either health care measure before the chamber. "This is truly a remarkable moment in the life of this nation. Some say we're making history. I say we're breaking history, breaking with our best traditions," said Mike Pence (R-IN), who chairs the House GOP Conference. "Only in Washington, D.C., can you spend a trillion dollars and say that you're saving the taxpayers money."

## 'A Victory For The American People'

Obama's Remarks  
On The Bill's  
Passage

With a vote count of 219 to 212, the House gave its approval to a measure initially passed by the Senate on Christmas Eve. Thirty-four Democrats joined 178 Republicans in voting no. That bill now goes to President Obama for signing.

The House also passed a so-called reconciliation measure on a 220 to 211 vote that makes significant changes to the main health care bill. Thirty-three Democrats voted against the bill, along with 178 Republicans. That measure heads to the Senate, which is expected to begin debate within days.

Obama watched the votes in the White House's Roosevelt Room with Vice President Joe Biden and about 40 staff aides. When the long sought 216th vote came in on the reconciliation bill — the magic number needed for passage — the room burst into applause and hugs. An exultant president exchanged a high-five with his chief of staff, Rahm Emanuel.

## The Legislation

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"We proved that we are still a people capable of doing big things," the president said a short while later in televised remarks. "We proved that this government — a government of the people and by the people — still works for the people."

## A Democratic Victory Lap

Nine Major Changes In  
The Democrats' Health Bill  
March 19, 2010

Read The Reconciliation  
Bill

Read The CBO  
Reconciliation Bill  
Estimate

Senate action on the reconciliation bill will be marked by extensive parliamentary maneuvering. But Democrats are optimistic about their chances in that chamber.

And, for now, they are giddy about passing landmark legislation to provide insurance to 32 million Americans.

"We have come to a defining moment in our nation's history," said James Clyburn (D-SC), the House Democratic whip. "This is the civil rights act of the 21st century."

At their victory news conference following the vote, Democratic leaders gave a place of honor to John Dingell (D-MI), the House's longest-serving member. Dingell followed his father into a Detroit-area House seat in 1955 and like his father has introduced universal health legislation throughout his career.



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J. Scott Applewhite/AP

President Barack Obama, joined by Vice President Joe Biden, makes a statement to the nation Sunday night following the final vote in the House of Representatives for a comprehensive overhaul of the health care system.

"We finally did it," Dingell said. "This is an extraordinary bill. If you're looking at me, you're seeing a great big Polish smile."

Dingell was credited with keeping at his protege Rep. Bart Stupak (D-MI) at the negotiating table over the weekend to work out an agreement on abortion restrictions that secured the Democrats' legislative victory.

"Mr. Dingell had a piece of me yesterday for quite some time," Stupak told reporters Sunday.

### A Fundamental Transformation

Democratic presidents — as well as occasional Republicans including Richard M. Nixon — have

long sought to enact universal health care legislation. President Bill Clinton's failed effort in 1993-94 had taken the issue off the table for over a decade.

President Obama has received considerable criticism for having "over-learned" the lessons of Clinton's experience. In contrast to Clinton's strategy of crafting a highly-detailed proposal, Obama let Congress work its will.

That looked like it might have been a mistake as legislation bogged down at various points — especially when it appeared to have been nearly derailed by the special election of Republican Sen. Scott Brown of Massachusetts in January, costing Democrats their 60-vote, filibuster-proof majority in the Senate.

But Democrats have now successfully jumped through most of the procedural hoops. Passage of the bill

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represents the biggest change in domestic policy since the enactment of Medicare and Medicaid in 1965, says Sara Rosenbaum, who chairs the department of health policy at George Washington University.

- *Rep. James Clyburn, D-SC*

"We have now fundamentally transformed American society," she says. "We have gone from assuming many people will not have insurance to expecting that people will have insurance."

### Highlights Of The Bill

The \$940 billion bill seeks to extend health coverage to most Americans. Medicaid, the federal-state program that provides health insurance to the poor and disabled, will be expanded to cover all adults earning less than 133 percent of the federal poverty level.

Private health insurance will be made available to individuals and small companies through exchanges that will be run by the states. Individuals who do not buy insurance face fines, as do most employers who do not offer coverage to workers.

Bill sponsors predict that all but about 5 percent of non-elderly Americans will ultimately be covered. Half of those currently uninsured will receive coverage through the expansion of Medicaid and half through private insurance through the exchanges — often with subsidies that make up the bulk of the legislation's projected costs.

"There will be a broad public education effort, so that people understand what's in the legislation," says Ron Pollack, executive director of Families USA, a consumer group that lobbied for the bill. "As a result, I think there's going to be growing and substantial support for the reform."



Nicholas Kamm/AFP/Getty Images  
Rep. Bart Stupak (D-MI) says an agreement reached with President Obama on Sunday banning use of federal funds for abortions cleared the way for the Democrats to have enough votes to pass the House health care bill.

Diaz-Balart (R-FL) said during floor debate Sunday.

### Pledging To Repeal

### Savings In The Future

The Congressional Budget Office has estimated that the legislation will reduce the federal deficit by \$143 billion over the next 10 years and by some \$1.2 trillion over the following decade.

"It's the biggest deficit reduction we will be able to vote on in this Congress, and other Congresses as well," said Steny Hoyer (D-MD), the House majority leader.

Critics of the bill say such savings are a fiction, as they are dependent on future Congresses sticking to plans to impose major cuts in Medicare and unpopular new taxes on health plans. "We are creating a massive new entitlement," Rep. Lincoln

Republicans who are unanimous in their opposition to the legislation will continue their efforts to stymie it in the Senate. They have also vowed to make the issue the centerpiece of their campaign to regain control of Congress come November.

"This debate is not about the uninsured, it is about socialized medicine," said Rep. Devin Nunes (R-CA). Alluding to the ghosts of totalitarianism in the Soviet Union, he said, "With passage of this bill, they will haunt Americans for generations."

Two hundred Republican candidates and members of Congress have signed a pledge, promulgated by the Club for Growth, an anti-tax group, to repeal the legislation upon the party's return to power.

"If this bill passes, we will have an effort to repeal the bill," House GOP Leader John Boehner (R-OH), said on NBC's *Meet the Press* Sunday. "I'd have a bill on the floor the first thing out."

But even if Republicans do regain control of one or both chambers, they still would have to contend with Obama's potential veto of any major changes to the law, at least for two more years. And getting such changes to the president's desk might be just as problematic as passing the health bills in the first place.

"What are they going to be able to repeal without 60 votes?" says Robert L. Laszewski, president of Health Policy and Strategy Associates. "The 60-vote rule suddenly works to their disadvantage."

### Constitutional Challenges

The legislation will face legal challenges as well. On Wednesday, Butch Otter (R-ID) became the first governor to sign a law requiring the state attorney general to sue the federal government if it forces individuals to buy health insurance – a central tenet of the legislation. Other states are likely to pass similar measures, including Arizona, where the question will be put directly to voters.

Challenges on states' rights grounds are not likely to succeed. But because of the novelty of the requirement that individuals buy insurance, other constitutional challenges are certain.



Two attorneys for the Congressional Research Service determined last summer that Congress is on shaky ground relying on its authority to regulate interstate commerce to create the so-called individual mandate.



"Whether such a requirement would be constitutional under the Commerce clause is perhaps the most challenging question posed by such a proposal," they wrote, "as it is a novel issue whether Congress may use this clause to require an individual to purchase a good or a service."

— *With reporting from the Associated Press*

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