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To be or not to be – Part Two (of an ongoing series)

In January, Florida Judge Vinson ruled that the entire health reform law is unconstitutional. The case, brought by 26 states, was pressed on whether the individual mandate was constitutional. The judge found the mandate unconstitutional, and, because the law has no “severability” clause, the entire law collapses when one part is voided.

His decision did not include an order to cease implementing the law. He assumes that the decision itself will have that effect. And indeed, Florida has declared that it will not proceed with implementing the law.

Despite the ruling, the White House continues its work to implement the law. Major insurers and others are proceeding assuming that the law will stand.

In the meantime . . .

- The [Christian Science Monitor reports](#) that Justice Department will appeal the decision.
- A few Democrats are exploring alternatives to the individual mandate. ([Washington Post blog](#))
- Republicans are threatening to block funding for enforcing health reform’s requirements. ([The Hill blog](#))
- Virginia’s Attorney General has asked the Supreme Court to take the case, and bypass the intermediate levels of appeals. Virginia’s case was decided by Judge Hudson, and the ruling found the individual mandate to be constitutional. The state is appealing the decision. ([ABC News](#))
- Democrats have Supreme Court Justice Clarence Thomas to recuse himself from the case, since his wife is a lobbyist for organizations that have opposed health reform. ([The Hill blog](#).)

And so the health reform saga goes on. Stay tuned for more news as it breaks.

For those who want to stay on the safe side, check out the [Health Reform Tool Kit](#). This is the step-by-step how-to guide that I wrote for World at Work’s 30,000 members. Don’t miss it!