

## No matter SCOTUS ruling, health care cost going up

By Andrew Thomason | Illinois Statehouse News



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Experts say no matter what the U.S. Supreme Court rules Thursday, look for health care cost to go up.

SPRINGFIELD — Listening to experts and advocates of all political stripes, it seems that health care costs are going to go up, no matter how the [U.S. Supreme Court](#) [2] rules on the national health-care law.

The court is expected Thursday to present its ruling on the constitutionality of the [Patient Protection and Affordable Care Act](#) [3].

Experts on constitutional law have generally narrowed how the court will rule to three outcomes.

### **The whole law is rejected**

In the first scenario, the conservative court strikes down the law in its entirety.

In that case, look for monthly health insurance bills to go up, **Jim Duffett**, executive director of the [Campaign for Better Health Care](#) [4], which advocates for more accessible, cheaper health care, said.

“Your premiums will go up, and the reason they’re going up is that you can only squeeze so much blood out of a turnip,” Duffett said.

Duffett said that those uninsured will continue to seek treatment in hospital emergency rooms, where the cost of their care is passed onto the hospitals and insurance policy holders.

“More hospitals will go under, more hospitals will be forced to shut this service or that service down, health care costs will go up,” Duffett said.

The more than 2,000-page law is so complicated that insurers are still grappling with what they can and can’t do, says **Robert Slayton**, president of the [Illinois State Association of Health Underwriters](#) [5], which lobbies for health insurers.

Striking down the law in its entirety won’t have immediate financial ramifications for people who already have health insurance, Slayton said. But, insurance agents have seen their workloads increase while grappling with the law. If it’s struck down, he says, expect insurance agents to be a bit more accessible.

### **The whole law is upheld**

In the second scenario, the court upholds the law.

**Jonathan Ingram** is a health care policy analyst at the [Illinois Policy Institute](#) <sup>[6]</sup>, a conservative think-tank. He says look for either federal income taxes to go up or for the federal government to start deficit spending to pay for the program.

The plan to create subsidized health insurance for the people without coverage, either through tax credits or expanded Medicaid rolls, would be a huge drain on the federal government's cash flow, Ingram said.

Ingram said lawmakers in Washington, D.C., should continue to push for a full repeal of the law if it is upheld, but in the meantime Illinois "should stop and force the federal government to own up and take responsibility."

Slowing down the law's implementation would give extra time for another lawsuit, or federal legislation to rollback most of the law.

Keeping the law is a mixed bag for the people with health insurance, according to Slayton.

"It's business as usual until you hear otherwise, and when you hear otherwise it should be an improvement in benefits, but I can't say it will be a benefit in rates," Slayton said. "If the cost of health care goes up, (insurance companies) have to adjust their rates to be able to go with that."

### **Part of the law is struck down, part of the law is upheld**

Lastly, the possibility exists that the court only strikes down part, or parts of the law, while upholding the rest. If this is the outcome, it's expected the part of the law requiring everyone to have health insurance would be overturned.

"I think that we're still left with a situation where we have part of a law that is unworkable. We need to repeal the whole law," Ingram said. "It's already broken. It's a one-size fits all model that doesn't work."

Duffett said it would be a blow for consumers if the individual mandate was struck down, but something is better than nothing when it comes to federal health-care reform.

The individual mandate "is not the heart, it is probably 5 percent, maybe 7 percent of Obamacare. There are hundreds and hundreds of other components of Obamacare that continue to be implemented," Duffett said.

Slayton said this would be the worst of any outcome for insurers and their clients.

As it stands, the law forces insurance companies to cover anyone, regardless of pre-existing conditions. If the law doesn't also require individuals to have health insurance, Slayton said most people will avoid buying insurance until they are sick and need treatment.

Without people paying premiums when they are healthy, insurance companies will be forced to raise prices to cover their costs.

"It'll definitely cause the cost of health insurance to go up dramatically because you don't have the pooling of risks," Slayton said.

To mitigate that, Duffett is encouraging Illinois to implement a health insurance exchange, regardless of the ruling. It's basically an open market where residents can compare health insurance plans and prices.

"It doesn't stop states from moving forward doing that," Duffett said.

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- [2] **U.S. Supreme Court:** <http://www.supremecourt.gov/>
- [3] Patient Protection and Affordable Care Act:  
[http://en.wikipedia.org/wiki/Patient\\_Protection\\_and\\_Affordable\\_Care\\_Act](http://en.wikipedia.org/wiki/Patient_Protection_and_Affordable_Care_Act)
- [4] **Campaign for Better Health Care:** <http://www.cbhconline.org/>
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