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The Vulnerabilities of the Patient Protection and Affordable Care Act and the Tragedy of Repeal

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The Patient Protection and Affordable Care Act, (the ?ACA?) passed by Congress on March 23 2010, and signed into law by President Barack Obama on March 30, 2010, is the first major health reform legislation to be enacted since 1965 when President Lyndon Johnson signed both Medicare and Medicaid into law. Although widely acknowledged as imperfect, the ACA is the first gateway to universal health insurance to survive the increasingly difficult legislative process. Although the vast majority of its provisions have not yet taken effect, the vulnerability of the Affordable Care Act to legislative repeal is exemplary of how the extraordinary political partisanship that permeates the American legislative process can play out. While health reform itself certainly did not cause the recent November 2, 2010 electoral ?drubbing,? leadership in the House of Representatives will change as a result from Democrat to Republican and have a similarly significant effect in the U.S. Senate and state houses as well. Defeating ?Obamacare,? which is and has been the rallying cry of many Republicans, has moved from an administrative irritation to a real concern.

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