

Free health care reform (aca) essay sample

[Sociology](#), [Population](#)



Abstract

The Patient Protection and Affordable Care Act (ACA) of 2010 aim at improving the health status of the population by increasing insurance coverage. It is a vibrant healthcare reform but contains controversial provisions as it expects citizens to pay uphold the insurance cover or face stiff penalty. I discussed the constitutionality of the Act by analyzing specific decisions made in courts of law. I found that the Congress overstepped its mandate and activated “ inactivity,” forcing citizens to purchase insurance. The Supreme Court will conduct an assessment on the act and settle on a final ruling that is vital in transforming the health sector in the United States.

- Introduction

The Patient Protection & Affordable Act of 2010 (ACA) is a groundbreaking legislation that aims at transforming the Health Care System targeting the practices of the nurses. The act’s goal is to cover an additional 32 million Americans under health insurance and this will automatically increase the population demands for health care (Gans, 02). However, the Act has been challenged in Court with claims that it is unconstitutional. An individual has a mandate to pay a minimum of \$ 1501 to access the health insurance coverage.

- Thesis statement

The paper will discuss the unconstitutionality of the Patient Protection & Affordable Act of 2010 health reform. It will further address the effects to American citizens and health care professionals and sheds light on the inclusive health of United States.

- Body
- First point: Individual mandate provisions
 - Intends to pool risks and guarantee a stable insurance market characterized by reasonable premiums in line with the ACA guidelines.
 - The law forbids insurers from refusing to cover individuals on the basis of pre-existing conditions.
 - The mandate requires the insurers to avoid charging high costs to the sick population and treats everyone equally.
- Second point: Courts Finding the Individual Mandate Constitutional
 - In 2010, the federal district courts in Michigan, Lynchburg, and Virginia, supported the mandate in the presented cases.
 - In 2011, the ACA act was also found constitutional by the Washington, D. C. District Court
- Cases that led to declaration of the Act constitutional (Mears 01) include:
 - Thomas More Law Center v. Barack Hussein Obama (2010)
 - Liberty University v. Geithner (2010)
 - Mead v. Holder (2011)
- Third point: Amalgamation of the Constitutional Rulings
 - Involves the reasoning and decisions by the judges to uphold the individual mandate constitutional (Gans, 02).
 - Interpretation of the Commercial law through Wickard v. Filburn (1942) and Gonzales v. Raich (2005) Supreme Court guidance
 - The differences in the interpretation of Commercial Clause, Necessary Clause and Proper Clause
- Fourth point: Courts Finding the Individual Mandate Unconstitutional

- The Commercial Clause allows the Congress to regulate activity, therefore, their acts of denying citizens to purchase Health insurance is unconstitutional (Health Care Lawsuits 01). They conclude, " The individual mandate must exceed congressional authority."
- The Circuit Court of Appeals uses the following causes:
- Printz v. United States, 1997
- Liberty University v. Geithner, 2011
- Baldwin v. Sebelius, 2011; New Jersey Physicians v. Obama, 2011; Purpura v. Sebelius, 2011
- Conclusion
- Declaration of the conflicting interests
- The consequences of ACA to the general population
- The future of the ACA health care reform, the Supreme Court assessment on the Act (Mears 01).

References

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