

American federal government: current federal issues in the news essays example

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Obama care

The United States of America probably has the most complicated system of government. America retains two centers of powers through its election to practice federalism. The spirit by the Founding Fathers was to ensure that the states retained their powers and privileges while still gaining substantively from the Union. The federal system is not a perfect system of government either. It is many times faced with problems that assume political, economic, social and legal characters. However, America remains resilient and the fact that all its problems are often ultimately solved attest to the relative resilience. On that premise, this paper's mandate is to cover a current federal issue. One cannot help but notice the implementation of the Patient Affordable Care Act, hereinafter the Act. Indeed, the Act was a Democratic view of how the system ought to work. It is interesting how it would be implemented. It has been argued by many that the successful implementation of the Act would be one of the few legacies that incumbent President Barack Obama would have achieved. Whether such an assessment is objective remains subject to debate. However, it is imperative to equally appreciate some of the screaming gains that the incumbent has already delivered. These include the successful steering of the nation from the financial meltdown, the end of the war and subsequent invasion of Iraq, the killing of the Al Qaeda leader Osama Bin Laden and the seemingly containment of international crises including the Arab Springs. From the onset, assessing Obama using his apparent signature legacy, Obama care, is by all standards unfair.

The Act has been observed as being mainly a liberalist approach to solving

social problems. Of course, the incumbent being a Democrat subscribes to the Democrat's ideology of the nexus between the government and markets. Unlike Republicans who believe in significant government, bigger military and intensive government regulation of the market, Democrats believe that the market should be lean and only act where the interests of the public are severely threatened. From the wording of the Act, this Democrat ideology has been heavily embedded in and influences the implementation design of the Act. Indeed, the Act envisages help to the federal government from two essential quarters. It is imperative to note that the said help is not help per se. Far from it, it connotes cooperation and assistance from two essential quarters which together with the Federal Government, should be able to successfully roll out the Obama care. The two are the state governments and the markets.

This section shall substantially analyze the role of the latter and leave the former to be discussed in the subsequent sections. Indeed, as mentioned previously, Democrats believe in a lean government that intervenes in the market only where necessary. The implementation of the Act has been gauged on the contribution of the market. According to White House pundits, the belief was that insurance companies offering health cover had the same interests as the Federal Government. In that strain, it was and indeed still is anticipated that insurance companies would embrace Obama care in totality and aggressively get the public to buy packages. However, that was nuanced by the expectation that the cover would be cheap and that exchanges would be available at state levels. As it stands, the Act requires even the old members who already had insurance cover to reconsider their insurance

packages. This is because the package costs have increased. The public is expected to pay more. While this is a purely market dynamic, the tragedy lies in the expectation of both the market and the public. It was indeed anticipated that the rates of insurance would be lower and that members would not have to reconsider their insurance packages. It was equally anticipated that market players would absorb shocks and allow the citizenry, who are the final consumers, the conveniences and advantages such as lesser costs. This has become almost impossible given the economic conditions. Apparently, insurance companies, instead of offering some incentives to the public, have only worsened the situation by hiking the costs. This has attracted a lot of criticism from the public with pundits labeling Obama a collaborator with big boys in insurance companies. The accusations are intended to lower the popularity of the President and score the critics some political capital especially in the wake of Senatorial Elections earlier next year. The ripple effects of a damaged presidential clout could mean the Democrats losing their seats in the forthcoming elections. In that context, it is even more interesting that the incumbent president has not come out clearly to criticize insurance firms. Instead, the strategy Obama has resolved to entails collaboration with insurance firms. One hopes that within the internal circles of the Obama Presidency, they are aggressively engaging markets for purposes of reaching an amicable solution in the interest of the public. That in a sense gives the situation of the market in relation to Obama care.

As intimated above, this section shall discuss in substance the contribution of the states. Foremost, it is critical to run through a background of

intergovernmental relations which is one of the most essential tools in the federal system of government. According to the Constitution and specifically the Supremacy Clause, the Constitution is supreme law. The next command in the hierarchy is the federal government and any federal statute. To that extent, it must be appreciated that the Act, being a federal statute takes precedence over state statutes. It is essential to equally remember that the same Act was aggressively opposed by the states and that the Supreme Court of the United States breathed life into it by holding that it was indeed constitutional. That this Act has seen the doors of the Supreme Court, with its constitutionality being contested by states, attests to the apparent opposition it has to encounter. Secondly, it needs to be observed that the Constitution bestows residuary powers on the states. The Federal Government has mandate limited to activities expressly conferred on it by the Constitution. However, the same Constitution anticipates scenarios where the federal government and the state governments cooperate for the overall benefit of the people. The Act indeed appreciated this and in that connection provided for the participation of the states in the program. One critical area where the states were to help was with the creation of state exchanges which would enable the people access healthcare insurance. In addition, the Act provided that federal government shall form exchanges for citizens in states that do not have state exchanges. This latter provision has not been funded by Congress and the federal government as its stands lacks resources to set up the same. Almost all Republican controlled states have refused to open exchanges. In addition, states have rejected the proposal and elected not to participate in the program. This has introduced hiccups in

the implementation of the Act especially in the Republican controlled states. This has occasioned a presidential embarrassment given that Obama had previously promised that all citizens would be able to access healthcare. The opposition and non-cooperation by the Republican run states perhaps is the most significant hiccup the implementation process faces. In addition, this apparent opposition has been taken up even in the Senate and in the House of Representatives. While Obama has control of the former, the latter's control lies with the Republicans. This has in turn occasioned frustration which includes lack of sufficient funding of the federal government towards the same. It has been noted in the media that the Democrat Senators faced with elections earlier next year may be forced to change track. However, it is instructive to note that the change in track is not a vote of no confidence on the Act or Obama himself. Rather, Senators would be in a bid to save the war for another day. It is part of the political survival strategy in the muddled political system in America. That the Act faces opposition in some states and at Congress levels exposes the tenuous footing in which it exists and the possibility of repeal does not necessarily sound alien at this point. It is imperative to appreciate the rallying call of the Republican Presidential hopeful in the just concluded elections. Mitt Romney has controversially remarked that he would have repealed the Act on his first day in office. Currently the most significant setback that faces the implementation of the Act is the false start experienced in the opening of the website. It had been anticipated that citizens intending to buy healthcare and who had so met all the requirements would easily subscribe through the celebrated website, HeathCare. gov. However, this has not been the case as the website has

been a complete failure. While it was opened on the 1st October and is set to close on the 31st March 2014, as it stands now (almost 42 days later) only around 60000 citizens have been able to register. Interestingly, it has been observed that the Obama machinery had not anticipated such logistical challenges and had nothing to counter in terms of a plan B or C. This has lately reduced the credibility of the president. In a recent talk show, the President was forced to apologize to the nation for the failure of the website. Pundits have observed that the apology would soon have to be extended to the process of implementation. In other words, according to analysts, Obama care may not see the end of the day. The critical question to ask, thus far, is whether it would be wise to throw the baby out with the bathwater? This question comes amid a complex situation of a noble idea facing challenges and frustrations from all the essential quarters. Time will tell exactly how the presidency would resolve the now dicey healthcare reforms. Indeed, ultimately, federalism comes with a price and this price entails political compromise. It is the postulation of this paper that healthcare reforms will only be achieved through political compromise. On that vein, the ball remains firmly on the courts of both the Democrats and their Republican counterparts.

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