

# Policy conflict analysis - the health bill research paper example

[Law](#), [Criminal Justice](#)



According to Andrews (2012, p. 1), president Obama finally managed to get through a bill that had escaped “ a string of Democratic presidents.” This is the healthcare bill. However, it was not an easy ride for him either. As it is well known in the American senate, there is the requirement for a 60% favor in approval of any bill and only then can it be passed into a law. Of course, there is a possibility that the president can veto it, but this implies that the bill might not stand for long as it can be easily repealed. Furthermore, if it does not appeal to the people, it can as well lead to the loss of confidence in the president. The democratic government had a year long of what Andrews (2012, p. 1) terms as a year of partisan combat. In this paper, I will seek to show how the President Obama and his Democratic Party had to fight for the passage of the bill. This is due to the party checks and balances that exist in the American system.

The health care bill is aimed at helping millions of Americans get medical cover since it extends the cover to about 30 million Americans. This will be achieved through the expansion of the Medicaid plan and the provision of federal subsidies to the lower and middle income earners in the country so as to allow them to buy the private coverage (Andres (2012, P. 2). Of course, there are some benefits of the law. For instance, it implies that the insurers cannot deny individuals coverage based on the pre-existing conditions. It also makes sure that the Americans are not left in the cold when it comes to healthcare. They are well covered and protected from any form of discrimination. The plan, if executed as planned, could be a way to ensuring that the Americans have a sound health policy.

Based on this argument, there was no way that the party checks and

balances could allow the government to spend so much of the tax payers' money in something that was not so certain. If anything, the republicans had to make the democrats have a run for their money. There was no way that they were just going to fold their hands and watch the government spending the tax payers' money. If the money had to be spent, the government had to prove beyond reasonable doubt that it had the right intentions in so doing. Creating this level of confidence was no mean task. This just indicates how much struggle had to be put in when passing the bill. It was a battle of titans between the democrats and republicans.

On top of the above concern, there is also another reason as to why passing the bill was such a challenge. The American Constitution (Amendment 14) has it that the people have their freedom of choice. With this as a reference point, the Republicans argued that the healthcare bill would infringe on this right. This is because on passing the bill, there is a possibility that the citizens who fail to register might face a fine in terms of individual mandate. In other words, the Americans are put in a fixed position where they have to buy the healthcare insurance or face the consequences. Well, it is well known that the nation is built on the fundamental human rights, one of which is the freedom of choice. Having such a bill means that the people do not have much of a choice than to buy the healthcare insurance. Most of the opponents argue that the law infringes on their freedom of choice as stipulated in the Bill of Rights (American Constitution Amendment 14). On this note, it has to be noted that the 14th Amendment was to take care of the rights and freedoms of the people. There is no way that the people could be forced to do what they did not want to do. This would appear to be

dictatorial, which is against the American's style of democracy. As the matters stood, it appeared as if the government, through the bill, would force the people to make a decision that they probably did not want to. If so, this would be very unconstitutional and could not be allowed. Well, this does not seem to sit well with many who are of the idea that their rights have to be respected and valued. Convincing the people that the bill was not to counter their freedom of choice was no mean task. It had to take much convincing and good will for the people to accept the government's position. Another hurdle that had to be crossed before the bill was passed was the issue of immigrants as noted by Pear (2012, p. 1). He argues that the bill excludes the young immigrants from the benefits of the same. In other words, though the bill extends the healthcare services to most of the American people, it also denies most of the inhabitants a chance at better health. It is also quiet controversial that the president, in his policies and more so the education policy, argues that the young immigrants are an asset to the American country. This is because these are people who come to the country; get the education they need and then participate in the activities which lead to the economical advancement of the country. in so arguing, the president seemed to be in favor of the immigrants and it was thought that he could do anything to make sure that their stay in the US was safe and sound. However, the health bill acts in contrast to what the president seemed to believe in. it sis for this reason that Pear (2012, p. 1) argues that the bill seems to be contradicting on the presidents stands in the matter of the immigrants. It is also controversial as to why the immigrants should be allowed into the country and given the right resources, only to be rendered

unproductive since they lack a basic thing; healthcare. In the long run, the US would be losing since it would train the people but they would eventually walk away to places where their health issues can be effectively looked into. This is a serious matter which implies that the implications of the health care bill are quite far-reaching. Furthermore, this goes against the beliefs of the founders of the nation who, on declaring the American independent, claimed that all humans were equal and should be treated as such (US History, 2012, p. 1). The founding father of the nation, in the Declaration for Independence (US History, 2012), the founders of the nation held that the reason as to why they needed the independence is so as to ensure that the people were treated equally and fairly. This is also the same case that has been seen in the class readings where there is the need to uphold the rights of all. Civil movements such as the civil war were a point where the people wanted equality and fairness in dealing with all people (Pear, 2012, p. 3). The main idea is that America has, for many years, tried to be a country for all. This is the reason as to why the bill had to be taken through a very rigorous process so as to be passed. The reason for this is that there was the assumption that it was going against what the Americans believed in. Withholding the benefits of the bill from some of the citizens is a mere indication that this virtue is not being upheld as some people are treated in a preferential manner as compared to the rest. After all, why would the government which always sought to protect the immigrants exclude them from such a crucial service? This was like shooting themselves on the foot and it could explain why the president and his supporters had to sweat it out to have the bill passed.

Armed with this information, the Republicans voted against the bill 245 to 189, calling for repeal. This move was quite significant, especially given the Democrats control of the White House and the Senate. Eventually, the matter went to court in 2011 where the Supreme Court agreed to hear a challenge to the so-called Affordable Care Act. In the ruling, the court largely upheld the health care bill with a 5 to 4 decision. This is just an indication of how hard the proponents had to go through the process. The fact that the bill was passed by a 4 to 5 vote by the Supreme Court judges indicates that even at the higher level, it was quite hard to have the bill go through. The bill had to go through a hard process that is not very common with other bills. In relation to the decision of the Supreme Court, it has to be noted that this court has quite a mandate in the US. Deriving its powers American Constitution (Article 3 Section 1) the Court has the mandate to allow for a bill to become a law, or decline it. As such, it helps in advancing the process of democracy in the country.

After the Supreme Court's decision, the president and the democrats who felt that they had triumphed. In this sense, it is worth noting that the Democrats had to actually fight for the bill, to the extent that the war had to be taken to court. Surely, this is an indication that a great misunderstanding was at play. In relation to other bills and laws, it has to be noted that there are other bills that have been passed. However, these did not have to go through such a rigorous process as this bill was. It, therefore, implies that the proponents for the bill had to go an extra mile so as to have the bill go through. This indicates that a lot had to be done for the bill to go through. The ruling of the court made the bill to become a law, and the ruling has to

stand since the decision of the court is independent of any interference from any political angle (US Constitution, Article 3). However, the battle has not ended yet. There are a lot of concerns and issues related to the bill. The Republicans are still for the position that it should be repealed, and should they win the next elections, there is a very high possibility that they could repeal it. This implies that it is not yet celebration time for the Democrats. They should not count their chicks as yet, though it seems like they have bagged it.

In conclusion, the above essay has looked at the challenges that the president and the Democratic Party had in pushing the healthcare bill through. There were quite a number of issues that were raised by the Republicans with reference to the bill, and their arguments seemed to hold much water. It had to take the president's strong convincing power as well as the intervention of the Supreme Court to have the bill passed and made into a law. It was not an easy task. There were some main issues that the government had to come out clear on. First of all, it had to prove that the bill does not go against the people's freedom of choice. It also had to explain why the immigrants were not to benefit from the healthcare Act. Well, this was quite a price to pay for the passing of the bill.

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