

The us health care reform act - federal government expectations, central governme...

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Democrats are moving towards a “ universal coverage” and improving the affordability and availability of health care. Democrats, like Clinton during her senator days, intended to expand the federal employee health plan by making it more accessible to citizens. The Republicans, on one hand, advocate for tax incentives as a measure of expanding private insurance and preventing costs. They want every American family to be able to purchase insurance through such “ marginal incentives” (Mooney). These differences have persisted since the administration of former Republican President George W. Bush.

Federalism’s main role in the issue of health care is to provide unity amidst diversity. It is understandable that each federal government feels threatened by the health care reform law passed under Obama’s administration. The law’s provisions tend to intrude “ deeply into the internal affairs of the states” and contradict the very essence of federalism (Moffit).

In a federalist set-up, local government units (states) and the national government share governing powers. These states are also vested with constitutional sovereignty and can pass their own laws independent from each other and from Washington. Congress officers’ intrusion is no longer healthy to the federalism espoused by the US. They specify “ how states are to arrange health insurance markets within their borders,” and determine the “ products that will be sold to their citizens” (Moffit). The state of California responded to the health care law by not complying with the federal legislation. As a result, the federal government is passing two bills, calling for

its compliance (Haberhorn). The state has not joined 14 other states in blocking the health care law but is merely enjoying its power to ignore the legislation. Governor Schwarzenegger had other priorities in mind, like cutting the health care budget of California and expanding oil drilling in Sta. Barbara (Wood). The governor also said he opted out of compliance and support for the programs because congress was buying votes to pass the health care law (Falcone).

The US Constitution prevents the President, acting through Congress, from encroaching upon the sovereignty of the states and forces them to accept the health care reform law. Despite strong opposition, the health care reform law was still passed due to the President's legislative power and influence. He can call for special sessions, veto bills from passing into laws or influence Congress "to get a bill passed or proposed." This power is limited, however, because 2/3 majority of the Congress can override the President's vetoes and still pass a bill he might be against. He also has limited judicial powers as his appointments need the approval of the Senate and could not pardon impeachment cases. Moreover, the President's executive orders could be declared unconstitutional by courts ("Powers and Limitations"). On one hand, the State Assembly can impeach the governor for "misconduct in office" or failing to deliver basic responsibilities (i. e. overspending or underspending in health care). By a two-thirds vote of the State Senate, he can be removed from office ("State Constitution").