

**Barack H. Obama's Legacy, Part 2**  
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The "Affordable Care Act" (ACA), commonly known as "Obamacare", does exactly the opposite of what its title claims, as is typical of many government initiatives. It promotes evil more than most legislation: it violates several provisions of the Constitution, and it fails to achieve even its most basic objectives.

It violates the Constitution in several ways. First, it contains provisions by which a taxpayer has to prove to the IRS that he has purchased health insurance; that is a violation of the right to free entry into contracts because the government is forcing a citizen to buy something even if he would rather not. Under the Tenth Amendment, contracts issues reside solely within the power of the States. Secondly, every IRS employee has access to these records in violation of the Fourth Amendment freedom from arbitrary searches. Third, by failing to provide the proof of insurance, the citizen is liable to pay a penalty, later ruled a tax by the Supreme Court. That apparently innocuous ruling made the entire section unconstitutional since the ACA originated in the U. S. Senate, whereas all tax bills must originate in the House of Representatives. This proves, if it proves anything, that even members of the Supreme Court cannot or will not respect the Constitution. Fourth, the ACA requires the citizen to buy coverage for a product which may violate his religious beliefs, since every insurance package meeting the ACA requirements must provide coverage for abortion and birth control expenses. Thus, since insurance is merely pooling risk, everyone has to share in the cost risks of abortion in violation of the First Amendment respect for religion. Fifth, doctors are permitted to ask patients about firearm ownership and include their responses in their permanent medical history; another clear violation of the Fourth Amendment as well as being prejudicial to the Second Amendment. In the future, said records may constitute the basis of an arbitrary sweep to confiscate all privately owned firearms. Sixth, it does not apply to every citizen equally since many exemptions, exclusions, and benefits have been given to some categories of individuals and groups while depriving the other citizens; this violates the equal protection portion of the Fourteenth Amendment.

It should come as no surprise the ACA has and will continue to fail in achieving its claimed objectives. It contains the seeds of its own destruction the same as every other welfare legislation. In typical welfare legislation, a non-working citizen and politicians decide how much a third person, the working man, is to pay in taxation to support those who are not working. There is no end to demands made by the non-working, and welfare benefits have traditionally increased over time, with commensurate tax obligations. Likewise, ACA has no effective cost containment: the doctor and patient decide how much a third entity, the insurance company, is to pay, nor a fourth entity, the working person with health care is to pay in taxes to provide subsidies to the others. Secondly, there is no requirement for doctors and hospitals to publish their prices for routine procedures, or even room costs; hence the costs are different depending on what type of insurance one has. Secret pricing will always tend to increase costs. Third, it restricts competition because a citizen can buy insurance only from those companies operating within a State despite the fact that the mandate itself is of federal nature. Restricting competition will always increase costs. Fourth, some people simply cannot afford to buy health insurance, and they must (and should be) be treated at public expense; the ACA does not eliminate the charitable and publicly-funded institutions and the costs thereof. The combined effects of these came about as expected: fewer choices of plan as insurance companies exit the program; constantly increasing insurance premiums, steadily increasing deductibles, and fewer choices of doctors and hospitals. The ACA is on the cost and quality death spiral; some claim that it was done deliberately in order to make the excuse for universal government-run health care. If you like what has been happening at the Veterans Administration, you'll like universal care.

But the most pernicious aspect of the ACA is that it can never be repealed or significantly modified. History shows that once a welfare provision is granted, it cannot be taken back.