



## Health Care “Reform” Implementation by the Numbers

Six months after enactment of Democrats’ new health care law,<sup>i</sup> a look at the first stages of its implementation reveals how the legislation falls short with respect to costs, premiums, preserving Americans’ existing coverage, and providing full transparency and accountability:

4,103—Pages of regulations issued on the health care law through September 17, 2010<sup>ii</sup>

12—Number of final regulations not subjected to public scrutiny before taking effect<sup>iii</sup>

5—Missed implementation deadlines to date<sup>iv</sup>

16—Unanswered letters from House and Senate Republicans to the Administration on the health law<sup>v</sup>

22—States that have joined legal actions to block all or part of the law from taking effect<sup>vi</sup>

667,680—Number of Missouri voters that rejected the health care law’s individual mandate, supporting a ballot referendum objecting to the federal law by a 71%-29% margin<sup>vii</sup>

500,000—Individuals with pre-existing conditions who could be denied coverage due to under-funding of the law’s high-risk pool program, according to the Congressional Budget Office (CBO)<sup>viii</sup>

40,000,000—Firms subject to the health law’s new 1099 reporting requirements, which the National Federation of Independent Business called a “tremendous new paperwork compliance burden”<sup>ix</sup>

9—Regulations released to date that will increase premium costs for individuals and employers, according to the Administration’s own estimates<sup>x</sup>

\$ 2,500—Premium reduction promised by candidate Obama “by the end of my first term as President”<sup>xi</sup>

750,000—Reduction in the American labor force due to provisions in the law that “will effectively increase marginal tax rates, which will also discourage work,” according to the CBO<sup>xii</sup>

\$ 310,800,000,000—Projected increase in health care costs as a direct result of the legislation, according to the Administration’s own actuaries<sup>xiii</sup>

7,400,000—Reduction in Medicare Advantage enrollment as a result of the health care law, resulting in a loss of choice for seniors and millions of beneficiaries losing their current health plan<sup>xiv</sup>

51%—Percentage of American workers who will lose their current health coverage by 2013, according to the Administration’s own estimates<sup>xv</sup>

0—Public hearings held before President Obama appointed Dr. Donald Berwick—an advocate of health care rationing—to head an agency that “finances health care for one in three Americans” and spends \$800 billion annually<sup>xvi</sup>

Even though we have seen only a few of the law's initial provisions take effect, the impact can already be felt by American families and businesses, who face higher costs, economic uncertainty, and loss of their current coverage. How much longer will these ill effects persist before the President and Democrats in Congress admit that their legislation will harm, not help, the American people?

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<sup>i</sup> Patient Protection and Affordable Care Act (PPACA), P.L. 111-148

<sup>ii</sup> Includes 52 separate proposed rules, interim final rules, requests for information, notices, and other related regulatory actions related to PPACA released by federal agencies or published in the *Federal Register* between March 23, 2010 (the date of enactment) and July 31, 2010. Spreadsheet with citations and page counts available upon request.

<sup>iii</sup> Refers to interim final rules published without public scrutiny or comment prior to taking effect. Ibid.

<sup>iv</sup> Four missed deadlines are noted in “White House Misses Early Deadlines in ObamaCare Implementation” by Jonathan Strong, June 2, 2010, <http://dailycaller.com/2010/06/02/white-house-misses-early-deadlines-in-implementing-obamacare/>. In addition, the Administration failed to implement provisions of Section 1101 creating new high-risk pools within 90 days of enactment (i.e. June 21, 2010), as required under the statute.

<sup>v</sup> Spreadsheet with additional details available upon request

<sup>vi</sup> “Missouri to Vote on Health Law” by Kevin Sack, *New York Times* August 1, 2010, <http://www.nytimes.com/2010/08/01/health/policy/01missouri.html>

<sup>vii</sup> Missouri Secretary of State's office, Proposition C results from August 3, 2010 primary election, [http://www.sos.mo.gov/enrmaps/20100803/ballot\\_Issue\\_map.asp?eid=283&oTypeID=20&Wednesday,%20August%2004,%202010](http://www.sos.mo.gov/enrmaps/20100803/ballot_Issue_map.asp?eid=283&oTypeID=20&Wednesday,%20August%2004,%202010)

<sup>viii</sup> Congressional Budget Office, Letter to the Honorable Mike Enzi regarding high-risk pool funding, [http://cbo.gov/ftpdocs/115xx/doc11572/06-21-High-Risk\\_Insurance\\_Pools.pdf](http://cbo.gov/ftpdocs/115xx/doc11572/06-21-High-Risk_Insurance_Pools.pdf)

<sup>ix</sup> National Taxpayer Advocate, *Report to Congress: Fiscal Year 2011 Objectives*, June 30, 2010, <http://www.irs.gov/pub/irs-utl/nta2011objectivesfinal.pdf>, pp. 9-13; National Federation of Independent Business release, July 25, 2010, <http://www.nfib.com/LinkClick.aspx?fileticket=e8uuu120Cs%3d&tabid=1083>

<sup>x</sup> Administration regulations whose economic impact analyses assumed an increase in health insurance premiums (whether the regulations quantified those increases or not) included those on coverage of dependent children under age 26, published in *Federal Register* May 13, 2010, <http://edocket.access.gpo.gov/2010/pdf/2010-11391.pdf>; coverage of pre-existing conditions for children, annual and lifetime limits, rescissions, designation of primary care providers, designation of pediatrician as primary care providers, patient access to obstetrical and gynecological care, and coverage of emergency services, all published in *Federal Register* June 28, 2010, <http://edocket.access.gpo.gov/2010/pdf/2010-15278.pdf>; and coverage of preventive services, published in *Federal Register* July 19, 2010, <http://edocket.access.gpo.gov/2010/pdf/2010-17242.pdf>.

<sup>xi</sup> Obama for America campaign document, “Background Questions and Answers on Health Care Plan,” [http://www.barackobama.com/pdf/Obama08\\_HealthcareFAQ.pdf](http://www.barackobama.com/pdf/Obama08_HealthcareFAQ.pdf); “Health Plan from Obama Spurs Debate” by Kevin Sack, *New York Times* July 23, 2008, <http://www.nytimes.com/2008/07/23/us/23health.html?ei=5124&en=59763b2937c15bd3&ex=1374552000&partner=permalink&exprod=permalink&pagewanted=print>

<sup>xii</sup> Congressional Budget Office, “The Budget and Economic Outlook: An Update,” August 2010, <http://cbo.gov/ftpdocs/117xx/doc11705/08-18-Update.pdf> Box 2-1, Effects of Recent Health Care Legislation on Labor Markets, pp. 66-67. CBO estimated a labor force reduction of “roughly half a percent.” The 750,000 figure is based on current [Bureau of Labor Statistics data](#) indicating more than 150 million Americans in the workforce.

<sup>xiii</sup> Richard Foster, Centers for Medicare and Medicaid Services, Estimate of the “Patient Protection and Affordable Care Act,” as amended, April 22, 2010, [http://www.cms.gov/ActuarialStudies/Downloads/PPACA\\_2010-04-22.pdf](http://www.cms.gov/ActuarialStudies/Downloads/PPACA_2010-04-22.pdf)

<sup>xiv</sup> Ibid.

<sup>xv</sup> Interim final rule by Departments of Labor, Treasury, and Health and Human Services regarding grandfathered health insurance status, released June 14, 2010, <http://edocket.access.gpo.gov/2010/pdf/2010-14488.pdf>, Table 3, p. 34553

<sup>xvi</sup> “New Health Official Faces Hostility in the Senate” by Robert Pear, *New York Times* July 27, 2010, [http://www.nytimes.com/2010/07/27/us/politics/27berwick.html?\\_r=2&src=tw&src=tw&src=nytimeshealth](http://www.nytimes.com/2010/07/27/us/politics/27berwick.html?_r=2&src=tw&src=tw&src=nytimeshealth); CMS Fiscal Year 2010 Budget Justification, <http://www.cms.gov/PerformanceBudget/Downloads/CMSFY10CJ.pdf>, p. 2; “Rethinking Comparative Effectiveness Research,” An Interview with Dr. Donald Berwick, *Biotechnology Healthcare* June 2009, [http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2799075/pdf/bth06\\_2p035.pdf](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2799075/pdf/bth06_2p035.pdf)