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Obamacare in Alice's Wonderland

Obamacare is on the hot seat in the courts. In July, the D.C. Court of Appeals ruled in Halbig vs. Burwell that Obamacare premium subsidies cannot be issued by healthcare.gov, the federal exchange. But just hours later, the Virginia Court of Appeals ruled in King vs. Burwell that subsidies can be issued by the federal exchange.

In September, the D.C. court agreed to rehear the case, dismissing its earlier prohibition on subsidies. But then a federal district judge ruled in Oklahoma vs. Burwell that subsidies cannot be issued. He said federal agencies are not allowed to rewrite law even if poorly written or otherwise we’ll be in Alice’s Wonderland “where up is down and down is up, and words mean anything.” Expect it to head to the Supreme Court.