Halbig vs Sebelius Will be Appealed

Halbig vs Sebelius will be appealed. The lawsuit charges the federal government with illegally issuing Obamacare premium subsidies on Healthcare.gov, the federal exchange. The law says subsidies can only be issued by state exchanges. Obama expected all states to set up a state exchange because that’s how they could get the subsidies, but states refused. So now the IRS claims it can issue subsidies through Healthcare.gov.

The judge said if no subsidies are allowed, Healthcare.gov will have no customers and no purpose. This sounds like political reasoning, not legal reasoning. Expect this case to go to the Supreme Court.