



... Health Care Reform

Should We Stop Implementation of PPACA?

Anyone who has followed the Supreme Court arguments now realizes that there is a chance that the individual mandate, or perhaps even the entire PPACA statute, will be ruled unconstitutional. While we do not know what that outcome will be, we recommend that plans, carriers, and employers continue on with compliance under health care reform.

Here's why. First, only nine Justices and their clerks really know what the outcome will be. Court watchers have predictions ranging from 6-3 to uphold the statute, to 5-4 to overturn the statute. You can infer numerous results from the Court's questioning. A late question from Justice Scalia even set the stage for the court to punt. While possible, it is difficult to imagine that the portions of PPACA already implemented could be tossed.

The Supreme Court's ruling likely will be released in June. Of course, that is right in the middle of election season. And health care reform will again take a top place among issues for the Presidential candidates. Even if the Supreme Court overturns part or all of PPACA, health care reform will continue to be an election issue with further changes likely following the election, regardless of who wins. And when a new Congress is sworn in next winter, it too will likely take on new discussions.

Most importantly, PPACA is currently the law of the land and there is a lot to do. It's also necessary to pay attention to topics beyond PPACA as key cases under HIPAA and HITECH show the potential for very large damages upon a breach.

So, address the Supreme Court's decision when it comes time—and we will help you with that. But for now, more PPACA deadlines are just around the corner. Stay tuned and full steam ahead!

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