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## **States' suit challenging health law gets hearing**

*Idaho, Washington are two of the original plaintiffs*

The U.S. Court of Appeals will hear oral arguments in June regarding a multistate lawsuit challenging the constitutionality of the federal health care reform bill.

The expedited hearing means the U.S. Supreme Court could take up the case this fall, with a ruling possible sometime next year.

Idaho and Washington were two of the original 13 plaintiffs in the case, which was filed just hours after President Barack Obama signed the Affordable Care Act into law last year. Thirteen additional states have joined the suit since, together with the National Federation of Independent Businesses and two private individuals - Mary Brown, a small-business owner from Florida, and Kaj Ahlburg, a retired investment banker who lives in Port Angeles, Wash.

The lawsuit cited a number of constitutional problems with the reform legislation. U.S. District Court Judge Roger Vinson rejected most of those arguments in January; however, he agreed the minimum coverage requirement - the mandate that people buy health insurance on their own if they aren't covered through their employer - was unconstitutional. He also ruled the individual mandate was "unseverable" from the remainder of the legislation and struck down the entire act; he later stayed that decision pending an appeal by the federal government.

A 3-judge panel in the 11th Circuit Court of Appeals will hear oral arguments in Atlanta on June 8. Regardless of what the panel decides, the case will likely end up at the Supreme Court.

So far, five lower-court judges have ruled on challenges to the Affordable Care Act. Two Republican appointees in Florida and Virginia declared it unconstitutional in whole or in part; three Democratic appointees in Michigan, Virginia and Washington, D.C., upheld it. Hearings are scheduled in May and June in three different appeals courts.

On Monday the Supreme Court declined to fast-track its review of one of the Virginia lawsuits, saying that case will have to follow the normal appeals process. Only rarely, in wartime or during a constitutional crisis, does the nation's highest court step into a legal fight before the issues have been fully aired in appellate courts.

Information on the multistate lawsuit, including court rulings and motion briefs, can be found at [www.healthcarelawsuit.us](http://www.healthcarelawsuit.us).