

Could String of Lawsuits Unravel Obamacare?

When the U.S. Supreme Court ruled President Barack Obama's health care law was "constitutional," most Americans thought the legal case against the law was settled.

But even now, there are a growing number of legal challenges to the Affordable Care Act.

"There are going to be legal challenges continuing for quite some time," John Malcolm, a senior legal fellow with The Heritage Foundation, predicted.

If they succeed, one by one, they could unravel parts of **Obamacare**.

The legal argument gaining the most steam—and most likely to succeed according to some court watchers—is the challenge to the law's contraception coverage mandate.

Religious business owners and **faith-based organizations** argue the mandate violates their religious beliefs by forcing them to cover the morning-after pill and similar drugs in their insurance plans.

"The case is about whether the government can say, 'We're going to force you to violate your faith or pay a fine,'" Kyle Duncan, general counsel with The Becket Fund, said. "Today it's contraceptives and abortion-causing drugs. Tomorrow what else is it going to be?"

Another challenge takes aim at a 15-member panel, called the Independent Payment Advisory Board, created to keep Medicare costs in check. Opponents argue it would wield incredible influence and violate the Constitution's "separation of powers."

Yet another challenge could put the fate of the entire law in jeopardy. Last June, the Supreme Court ruled that the “individual mandate” is a tax.

The Constitution requires all taxing measures start in the House. But opponents argue the final version of the bill that became law actually originated in the Senate.

“If that lawsuit succeeds, then the Obamacare law was passed in an unconstitutional manner, and it would be stricken,” Malcom said.

For now, court watchers like Malcolm believe the strongest argument against the law is the contraception coverage mandate, which opponents call a threat to religious liberty. But even if they’re successful, it would only affect the mandate and leave the rest of the law in place.