

US Supreme Court Agrees to Hear Obamacare Suits

The U.S. Supreme Court on Monday agreed to hear all arguments involving the Patient Protection and Affordable Care Act, also known as ObamaCare.

The nation's High Court will make its final ruling on the controversial health care law by July—just months before the next presidential election.

At issue is whether it is constitutional to require all Americans to purchase health insurance. The nine-member court will also explore whether the rest of the law could be implemented without this mandate.

Another issue is whether the federal Anti-Injunction Act, or AIA, applies to ObamaCare. The AIA applies to cases involving taxes, and it requires that the IRS assess the challenged tax before the court has jurisdiction to hear the case.

“The constitutional issues presented in the ObamaCare lawsuit are of exceptional importance to every American,” says Mathew Staver, founder and chairman of Liberty Counsel and dean of Liberty University School of Law. “If ObamaCare is upheld, then Congress will be able to force every American to purchase products or services determined by bureaucrats. We are pleased that the Supreme Court will hear this case. From the beginning, we knew this case was destined to be decided by the High Court.”

The Supreme Court will hear a consolidated argument related to the cases from Florida, involving 26 states (*Florida v. United States Department of Health and Human Services*) and the National Federation of Independent Businesses, which was also part of the case.

"After months of uncertainty and frustration, small business owners are finally within the reach of some clarity on how this law will ultimately impact their lives and their livelihoods," says Karen Harned, executive director of NFIB's Small-Business Legal Center. "We are confident in the strength of our case and hopeful that we will ultimately prevail. Our nation's job creators depend on a decision being reached before the harmful effects of this new law become irreversible."

The Supreme Court is holding the case of *Liberty University v. Geithner*, in which Liberty Counsel represents Liberty University and two private individuals. Oral argument will be set in the spring of 2012. The Court has granted an unprecedented five and one half hours for oral argument, with a decision expected no later than the end of the Court's term in June.

Liberty Counsel argued that the mandates are penalties and not taxes, and the government argued that the AIA does not apply. If the Court finds that the AIA applies, the challenge to ObamaCare would have to wait until after 2014, when the mandates become effective.

The Obama Administration seems confident that victory is near: "We know the Affordable Care Act is constitutional and are confident the Supreme Court will agree," White House Communications Director Dan Pfeiffer told Reuters.