1. Record Nr. UNINA9910452818003321 Autore Koppelman Andrew Titolo The tough luck constitution and the assault on health care reform / / Andrew Koppelman Pubbl/distr/stampa New York, New York: ,: Oxford University Press, , 2013 ©2013 **ISBN** 0-19-026018-1 1-299-45679-0 0-19-997003-3 Descrizione fisica 1 online resource (195 p.) Disciplina 344.73022 Soggetti National health insurance - Law and legislation - United States Health insurance - Law and legislation - United States Constitutional law - United States Health care reform - United States Medical care - United States Electronic books. Inglese Lingua di pubblicazione **Formato** Materiale a stampa Livello bibliografico Monografia Includes index. Note generali Nota di bibliografia Includes bibliographical references and index. Nota di contenuto Cover; Contents; Acknowledgments; Introduction; 1 The Road to the Mandate; Origins of Health Insurance; After Medicare and Medicaid; Obama: 2 Appropriate Constitutional Limits: The Enumerated Powers: Necessary and Proper: The Unhappy Story of Judicially Crafted Limits: A Constitution of Subsidiarity; Why the Mandate Is Constitutional; 3 Bad News for Mail Robbers; The Invention of the Constitutional Objection; Barnett's Libertarianism; The Path to the Supreme Court; The Broccoli Horrible; From Court to Court; 4 What the Court Did; The Mandate; Medicaid; Severability; Explaining John Roberts 5 Where It HurtsSo What Happens to the Medicaid Expansion?; Your Tough Luck; Notes; Index; A; B; C; D; E; F; G; H; I; J; K; L; M; N; O; P; R; S; T; U; V; W

Chief Justice John Roberts stunned the nation by upholding the

Affordable Care Act--more commonly known as Obamacare. But legal

Sommario/riassunto

experts observed that the decision might prove a strategic defeat for progressives. Roberts grounded his decision on Congress's power to tax. He dismissed the claim that it is allowed under the Constitution's commerce clause, which has been the basis of virtually all federal regulation--now thrown in doubt. In The Tough Luck Constitution and the Assault on Health Care Reform, Andrew Koppelman explains how the Court's conservatives embraced the arguments of a fringe li