



Written by [Michael Tennant](#) on September 5, 2017

## Clock Ticking on Speedy ObamaCare Repeal

Time is running out for Republicans to pass an ObamaCare repeal bill with a simple-majority vote. Senate Parliamentarian Elizabeth MacDonough has ruled that September 30, the end of fiscal 2017, is the deadline for passing such a bill, according to Democrats on the Senate Budget Committee.



Republicans' strategy for repealing ObamaCare has in some ways mirrored Democrats' tactics in getting the law on the books in the first place. Under the normal legislative process, at least 60 senators would have to vote to break an expected Democratic filibuster; mustering those votes when the GOP only holds 52 seats could prove daunting. Republicans thus chose to employ the budget reconciliation process, which limited the scope of their legislation but enabled it to be passed with only 51 votes — just as Democrats did when enacting the Affordable Care Act (ACA) in 2010.

Unfortunately, even that lower hurdle has thus far proved insurmountable. Despite greatly watering down an already weak ACA replacement bill, the Senate was still unable to pass it in late July.

Now the opportunity to quickly repeal ObamaCare is nearly past. MacDonough ruled that since Republicans were trying to repeal the law via budget reconciliation, they must do so before the end of the fiscal year. Furthermore, noted [Politico](#), "The House GOP's budget resolution for fiscal 2018 does not include instructions on health care, which would likely kill the party's chances of an Obamacare repeal redo next year" — that is, unless it manages to secure some Democratic votes.

Senator Bernie Sanders (I-Vt.), in a statement, [called](#) MacDonough's decision "a major victory for the American people." He called on Congress "to work together to expand, not cut, health care for millions of Americans who desperately need it."

House Budget Committee spokesman Chris Hartline, on the other hand, told [Politico](#), "If anything, this decision should give the Senate more motivation to fulfill their promise to the American people and get a health care bill done."

The chances of that appear slim indeed. Although President Donald Trump and conservative Republicans have called for another repeal vote in the Senate, Senate Majority Leader Mitch McConnell (R-Ky.) [said](#), "It's time to move on," after the last attempt failed. In addition, the Senate will have many other pressing issues on its plate this month, including bills raising the federal debt ceiling and funding the Children's Health Insurance Program.



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If anything, the upper chamber now seems more interested in shoring up ObamaCare than in chipping away at it. The Senate Health, Education, Labor, and Pensions Committee has hearings scheduled on ways to “fix” the unconstitutional and unworkable law. “Committee Chairman Lamar Alexander (R-Tenn.) and top Democrat Patty Murray of Washington state are expected to spearhead narrow legislation to tweak the law,” reported *Politico*. “It would fund crucial subsidies for low-income enrollees and give states more flexibility to receive a type of waiver from Obamacare allowing them to craft their own health programs.” Such a bill might temporarily reassure insurers and those obtaining taxpayer-subsidized insurance under the ACA, but it would not be a long-term solution to the law’s manifold failures.

Regardless of what the Senate does, the Trump administration has its own opportunities to hasten the demise of ObamaCare. The administration has already announced that it will spend considerably less on promoting exchange enrollment than the Obama administration did in its final year. And there is still the possibility that the Trump administration will stop disbursing subsidies that the Obama administration was paying despite Congress’ having failed to appropriate the funds for them, though thus far Trump has [declined](#) to exercise this option.

A failure to pass some sort of ObamaCare repeal this year, while disappointing, would not necessarily be a bad thing. In the first place, the bills Congress has tried to pass have been [far less than ideal](#). In the second place, as *Forbes*’ [Robert Book](#) observed, it took “a fractured Democratic Congress” the first 14 months of President Barack Obama’s first term to pass the ACA, so expecting a similarly disunited GOP to repeal it within months of Trump’s inauguration is probably wishful thinking. Besides, to borrow from Oscar Wilde, a bill that is worth having is worth waiting for.





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