

THE BROOKINGS INSTITUTION
5 on 45: On the failed health care bill
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(MUSIC)

PITA: You're listening to 5 on 45 from the Brookings Podcast Network, analysis and commentary from Brookings experts on today's news regarding the Trump Administration.

REYNOLDS: My name is Molly Reynolds, and I'm a fellow in governance studies at the Brookings Institution. With the late night press release, Senate Majority Leader Mitch McConnell halted congressional Republicans' efforts to pass a bill repealing and replacing parts of the Affordable Care Act yet again, despite several months of efforts to thread to thread the needle between the demands of conservative and pragmatic members of his caucus. McConnell lacked sufficient support from Senate Republicans to even start a legislative debate that would eventually culminate in a vote on his proposal. Why has it been so hard for Senate Republicans to get to 'yet' on the health care bill. On one hand many Republicans clearly share a rhetorical goal – repealing Obamacare. They've campaigned on the issue since the Affordable Care Act was enacted in 2010 repeatedly promising their base voters that if they control the House, Senate, and presidency they would accomplish this long-held goal when it came time to write a piece of legislation that actually embodies that promise. IT proved to be exceedingly difficult; some individual House members and especially senators found themselves cross-pressured as to what was best for their party. Being able to finally point to something that repealed Obamacare put them in one direction.

But what was best for them individually in some cases steered them differently. This was true on both sides of the ideological spectrum for legislators who thought these

years efforts didn't go far enough. And for those who thought they went too far the challenges of this cross pressuring were especially acute in the Senate, where McConnell's small majority for only 52 seats left him with very little room for error. He could only lose two of his co-partisans and once Rand Paul and Susan Collins announced early that they would not vote to start debate he had no additional votes to spare. In the end the two senators whose opposition doomed the effort came from the conservative end of the caucus illustrating the challenges of a narrow majority aren't just about losing the support of relatively more moderate members because congressional Republicans embraced a procedural strategy known as budget reconciliation that prevented the possibility of a filibuster. The small size McConnell majority didn't need to lead to the bill's failure. But reconciliation came with its drawbacks. The process has rules meant that there were limitations on what could be in the bill which potentially restricted exactly how McConnell tried to thread his tricky legislative deal with no Democratic votes required for passage in the Senate. Republicans lost one possible source of the ability to blame their partisan opponents for their lack of cooperation. So what happens next? McConnell reportedly plans to hold a vote to bring up the House bill for debate in the Senate. But the promise that the First Amendment that the Senate would consider to measure would be one replacing the House's proposal with the bill. The Senate passed in 2015 to partially repeal but not replace the Affordable Care Act of the currently serving Republican senators only Susan Collins of Maine voted against that bill. But its prospects for success at this point are much shakier the 2015 bill was what political scientists call veto bait a bill that legislators know the president will veto but want to pass anyway in order to send a message about where the two parties stand. In addition getting to the point where the

Senate would vote on that 2015 will again require 57 to support bringing up the House bill at least Collins Lisa Murkowski of Alaska and Shelley more capital of West Virginia have all said they oppose such a move but their opposition potentially due in part to the uncertainty about how exactly things would proceed on the floor even in the face of McConnell's promise. We've seen the health care bill declared dead before this year only to have it be resurrected. Well this week's events may finally shut the coffin on the underlying issue of Obamacare's winners and losers. What's new about it going forward isn't going anywhere anytime soon. Uncertainty about certain payments to insurers under the law remains.

And the issue could play a role in next year's midterm elections. But with a number of other important issues with actual like. Patients' bills and the debt ceiling on the congressional agenda. Congress may finally move on. At least for now.

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