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The GOP Dilemma

Theories abound on which way House Republicans will go on voter-friendly provisions if Obama's health reform law gets thrown out.

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Planning ahead: Roe has a list of bills for the House to pass if the health law is overturned.

Monday's news that three of the country's largest health insurance companies would follow popular pieces of Democrats' health reform law even if the Supreme Court overturns it may have given Republicans a moment of relief in the ongoing speculation over what they'll do in that scenario.

The past few weeks have been full of theories about exactly what the House Republicans will do with voter-friendly provisions—such as requiring insurance companies to cover young adults age 26 and under on their parents' insurance plans—should major pieces or the entire health reform law get thrown out.

The issue isn't going away, despite the announcement from Aetna, Humana, and UnitedHealth Group. For starters, those insurance companies only cover about half of the 255 million Americans who have private health insurance, meaning that many adult children on their parents' policies still could lose coverage. But the health reform law's most popular pieces aren't limited to coverage for young adults—it also saves seniors \$3.5 billion on Medicare drugs and covers thousands of people with preexisting conditions who couldn't get insurance before, not to mention all children who were previously denied coverage for having a prior illness.

There has been a divide among Republicans since they took the House in 2010 over exactly how to approach the health care law. Should they settle for full repeal only, or take what small victories they can get? Republicans have taken dozens of votes to symbolically dismantle the law, the vast majority of which went nowhere fast in the Democratic-controlled Senate. But occasionally, Democrats have been interested enough to support undoing a provision, fulfilling some Republicans' fears that they're helping to "improve" the law before the presidential election.

The potential that the Supreme Court could undo major parts of the law or the entire thing has amplified this divide among Republicans. Last week, the House GOP Doctors Caucus met with Republican leadership to discuss what the

message should be if the court undoes the law. While the caucus has been on the forefront of efforts to undo the law, they aren't all on the same page.

Sen. **Jim DeMint**, R-S.C., seen as the Senate's tea party leader, isn't making things any easier. On Thursday, he issued a missive that will make it all the more difficult for Republicans to move legislation supporting pieces of the law, specifically the rule requiring coverage for adult children.

"Re-instituting a government mandate on the private sector would have significant economic costs, and would also undermine the cause of individual liberty in the process," wrote Chris Jacobs, a senior policy analyst for DeMint on the Joint Economic Committee. "A welfare state administered by the private sector, yet mandated by government, remains a welfare state at its core."

Not surprisingly, DeMint's position against this provision or any other in the law has the strong backing of tea party groups.

"We oppose reviving any part of 'Obamacare,'" Dean Clancy, the vice president of health policy with the tea party group FreedomWorks, said in an interview. "We would certainly look askance at the Republican leadership getting into or making distinctions between allegedly good and bad parts of 'Obamacare,' and we would educate the grassroots about such a thing. Our feeling is there's no need, politically or policy-wise, to legislate or salvage any part of this bill before the election."

Clancy said his group is in "continuous" conversations with the Republican leadership, and so far he's pleased with where they stand.

Despite this position, there is still some nuance within the Republican caucus, even from fellow tea party members. In votes last week, Rep. **Phil Roe**, R-Tenn., passed out a card outlining the seven bills he thinks the House should pass if the high court overturns the health care law.

"Nothing is going to happen to people the next day. People are not going to lose coverage," Roe said in an interview. "In the meantime, we will have to look at some bridges until the election's over."

Roe said a potential place for legislation would be high-risk pools that currently cover thousands of Americans who had preexisting conditions and couldn't get insurance coverage. But he also likes the rule for covering young adults age 26 and under, partly based on his own experience.

"I have three adult children; the youngest just passed 26 this year. Each one of them, when they graduated from college, had to go on the individual market," Roe said. "It was a worry, and I was concerned as a parent that I wouldn't be able to get them insured."

Roe said it isn't just the under-26 policy on its own that he wants to address, but the restrictions the law puts on insurance companies' ability to charge older, sicker people higher premiums.

"That artificially makes [young adults'] rate higher," Roe said. "I read the [DeMint] essay, and they left that part out."