Opposition to Health Care Reform Legislation Grows

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The percentage of Americans who negatively view the Patient Protection and Affordable Care Act (PPACA),¹ and its companion bill, the Health Care and Education Reconciliation Act (the “Reconciliation Act”)² has surpassed those who support it for the first time since a May 2010 survey. A Kaiser Family Foundation tracking poll conducted in August³ found that 43 percent of those surveyed view the health legislation favorably – down from a 50 percent favorable rating in July.⁴ Those viewing the health care reform negatively increased from 35 percent in July to 45 percent in the August poll⁵ while those holding no real opinion either way have remained fairly steady since the law’s enactment, hovering around 12-14 percent.

The Tracking Polls

Not only has support for the health care reform legislation dropped significantly since last month, the proportion of the public indicating the law will benefit the country also fell—with those saying they would benefit from the effects of the legislation equal to those saying they will not benefit in any way.⁶ Not surprisingly, the candidates running for upcoming midterm election seats are playing an important role in getting out varying opinions regarding the legislation, which possibly impacted the results of the most recent tracking poll. Moreover, the:

…opinion on the law continues to be highly partisan, with Republicans having intensity of opinion on their side as Democrats are somewhat more likely to say health reform will be a factor in their vote. Many of the short term deliverables beginning to be implemented remain popular and several even lead a majority of the law’s opponents to feel more favorably toward reform.⁷

In the July 2010 Kaiser tracking poll, 50 percent of those surveyed held a favorable view of the PPACA, up slightly from 48 percent in June.⁸ Fourteen percent expressed no opinion about the legislation.⁹ Similar to the results from a similar survey conducted in

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⁵ August 2010 Tracking Poll, supra note 3.
⁶ Id.
⁷ Id.
⁸ See July Tracking Poll, supra note 4.
⁹ Id.
June, many of those with unfavorable views of the law state that it should be repealed (27%) while only 7 percent of those holding a negative opinion of PPACA state that the law should be given a chance to work.\textsuperscript{10}

When asked how PPACA and the Reconciliation Bill will affect them personally, the nation is roughly divided into thirds: 32 percent believe their families will be better off because of the law, 29 percent believe their families will be worse off, and 33 percent said it will make no difference.\textsuperscript{11}

There has also been very little change in Americans’ understanding of the health care reform legislation. Approximately 63 percent of those surveyed said they believe they understand how the law will affect them while 32 percent said they did not. The largest group indicating confusion about the law is senior citizens. About 46 percent of seniors asked view the legislation in a negative way—a 10-point drop from an April tracking poll. Half of the seniors asked indicated they understood that the PPACA would eventually close the doughnut hole gap in Medicare drug expenses and that high-income Medicare beneficiaries would see their premiums increase.\textsuperscript{12} However, only one-third were aware that they would no longer be responsible for co-payments and deductibles for many preventive care services.\textsuperscript{13} Further, many seniors expressed the opinion that they were against the federal government making decisions “about end-of-life care for people on Medicare,”—a hotly-contested topic of pre-enactment health care reform discussions when many alleged that a “death panels” provision was included in the legislation.\textsuperscript{14} The “death panel” debate nearly derailed the bills and the provision that would have allowed Medicare to pay physicians for talking with patients about end-of-life planning was removed.

In a separate national survey of seniors conducted by the National Council on Aging (NCOA), most remained confused or unaware of specific provisions of PPACA and the Reconciliation Bill that benefited those over the age of 65.\textsuperscript{15} Only 17 percent of seniors knew the correct answers to more than have of the 12 questions asked about the legislation and only 9 percent knew the correct answers to at least two-thirds of the questions.\textsuperscript{16} More specifically, the poll revealed that:

- only 14\% of seniors knew that PPACA does not cut Medicare payments to doctors; 45\% answered incorrectly and 41\% said they did not know;


\textsuperscript{11} Id.


\textsuperscript{13} Id.

\textsuperscript{14} Id.


\textsuperscript{16} Id.
only 24% of seniors knew that the legislation is believed to extend the solvency of the Medicare Trust Fund;
only 28% knew that the law improves the availability of long-term care at home for seniors with disabilities;
only 22% knew about improvements in chronic care;
only 33% knew about the new, free yearly wellness visit Medicare will now provide;
two out of three seniors either did not know (43%) or gave the wrong answer about the future growth of Medicare spending. Only 34% knew that it will continue to grow under the new law, just more slowly.\footnote{17}

A tracking poll conducted by the Kaiser Family Foundation in June revealed similar information, but asked some different questions as well.

Previous Tracking Polls

The June 2010 tracking poll\footnote{18} revealed that while confusion over the health care reform legislation declined somewhat among Americans during April and May, many agreed that lawmakers’ differences and views of the legislation was, in fact, spurred by politics, not by policy. Of those surveyed, 41 percent expressed a negative view of the law while 48 percent held favorable views in June\footnote{19} while 44 percent disapproved in May\footnote{20} and 41 percent were in favor of the legislation.

Also in the May poll, many Americans said they received information about ongoing health care reform matters from a number of different sources, including the news media, family and friends, and medical professionals. More than half of those surveyed in May reported receiving health reform information from friends and family (68 percent), or from cable (63 percent) or broadcast news programs (55 percent). Moreover, cable news topped the list as the public’s “most important” source of news about the new law, with 30 percent responding that they relied on that source more than any other.\footnote{21} More specifically, 25 percent indicated that their main news source was FOX News, 22 percent named CNN, and 6 percent cited MSNBC.\footnote{22} FOX News viewers overwhelmingly opposed the law in May (78 percent unfavorable) while most of the CNN viewers tended to support it (52 percent favorable).

Likely voters in the upcoming midterm elections and those who consider themselves “independents” are more likely to lean towards opposing the legislation, but more

\footnote{17}{Id.}
\footnote{19}{Id.}
\footnote{21}{Id.}
\footnote{22}{Id.}
outspoken opposition remains with those affiliated with the Republican Party. Seven in 10 Republicans polled expressed a “very unfavorable” view of the law.\textsuperscript{23}

Those with favorable views of health reform tend to cite the law’s potential for increasing Americans’ access to health insurance and health care (47%) and making both more affordable (12%) as the main reasons for their support.\textsuperscript{24} Those with unfavorable views had a wider range of reasons for their opposition, but topping the list were concerns about the cost of reform to the country and to individuals (27%) and opposition to the government’s perceived role in the changes (17%).\textsuperscript{25}

Conclusion

Confusion among many Americans regarding the details of PPACA and its companion bill is certainly not new. Before passage of the legislation and well into recent months, lawmakers have left the information-dissemination process regarding important aspects of the health care overhaul to public and private interest groups, media outlets, and others to provide salient details of the law.

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\textsuperscript{23} \textit{Id.}
\textsuperscript{24} May Tracking Poll, \textit{supra} note 19.
\textsuperscript{25} \textit{Id.}

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