Florida Judge Deems Health Reform Law Unconstitutional in 26 State Challenge

Friday, February 4, 2011

Florida Federal District Court Judge Roger Vinson serving in Pensacola, Florida, ruled that key components of the health reform law are unconstitutional and declared the entire law void.

In his decision, Judge Vinson writes:

“... I must reluctantly conclude that Congress exceeded the bounds of its authority in passing the Act with the individual mandate. That is not to say, of course, that Congress is without power to address the problems and inequities in our health care system. The health care market is more than one sixth of the national economy, and without doubt Congress has the power to reform and regulate this market. That has not been disputed in this case. The principal dispute has been about how Congress chose to exercise that power here.

Because the individual mandate is unconstitutional and not severable, the entire Act must be declared void.”

The ruling by Judge Vinson may be appealed to the Federal Court of Appeals in Atlanta. Separately, an appeals court in Richmond, Virginia, is scheduled in May to
hear challenges to two conflicting lower-court rulings, one upholding the legislation, the other invalidating part of it.

As we have noted in other posts, it is likely that the constitutionality (or not) of the health reform law will not be certain until a final ruling by the United States Supreme Court.

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