



Written by [Joe Wolverton, II, J.D.](#) on January 25, 2010

Healthcare “Reform” Is Not a Done Deal

Many Democrats broke with their morning routine last Wednesday and skipped reading the morning paper. The headlines were full of the report of their party’s demise and not even Colombia could produce a coffee strong enough to rouse them from the droopiness of defeat. There wasn’t a paper in the country that didn’t document (in the largest possible font size) the demise of the Democratic Party thanks to the victory of Scott Brown in the special election to fill the seat of the late Senator Edward Kennedy of Massachusetts.



The election of Scott Brown to the Senate was upsetting to Democrats for many reasons. First, there was the loss of a seat held for 47 years by the sole surviving heir of the Royal Family of Massachusetts and the lion of liberal causes. The term “shoo-in” was invented for that seat. There wasn’t a chance that a Republican ([even one with less than impressive conservative bona fides](#)) could defeat the Left’s candidate. That is, until it happened. The bottom line: Scott Brown is now Senator-elect Scott Brown, Massachusetts has a Republican Senator, and the 60-vote Democratic caucus filibuster-buster is gone, and with it the hope of rubber stamping a healthcare reform package without significant alterations.

Every proponent of the radical top-to-bottom, inside-out overhaul of the American system of providing and paying for healthcare from [President Obama down through the rank and file](#) realizes what the election of Scott Brown meant for their dream of pro forma passage of such a measure.... It was dead, or if not dead it was struggling for breath. Any hope of resuscitation hinges on the ability of uniting skittish Democrats who are already scrambling for cover to avoid the shrapnel from internecine grenade tossing.

Can a party so perforated with self-doubt and juvenile finger-pointing unite under any banner? Will the voices of coalition and compromise troll louder and longer than the discordant chorus of “every man for himself” realpolitik? These questions and others will need answers before the Democratic Party can put the engine of nationalized medicine back on the track toward socialism. When the smoke clears and the roll is called, there is little doubt that the forces of collectivism will lock arms and ram a healthcare bill,



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some healthcare bill, down the throats (and into the wallets) of the working men and women of America. The question now is, how many Democrats does it take to ruin medical care in America?

Before the bill becomes a law, there will be many questions to be asked and answered, but the number of Senators required to join the coalition of the billing is worth analyzing. During the debates over the Senate version of a healthcare bill, the magic number was 60. Senator Harry Reid (D-Nev.) wrote millions of dollars in concessions into his final draft of the bill in order to secure the votes of fence sitters Senator Ben Nelson (D-Neb.) and Senator Mary Landrieu (D-La.).

It worked and the 60-person "super majority" held together long enough to obviate any Republican parliamentary impediment. That is to say, with 60 votes on his side, Reid could put a quick and procedurally sound end to any opposition filibuster. With the minus one that Scott Brown brought to the party, that dike has one less finger in the hole.

With that arrow removed from their quiver, the Democrats have brought the bull's-eye in a few yards and decided that they can ramrod "reform" through without a Democrat in Kennedy's chair. A little parliamentary pas de deux called "reconciliation" permits the majority (Democrats in this case) to stop a minority filibuster with only 51 votes, a much higher percentage shot for the Democratic sharpshooters.

Republicans, a disparate band of lawmakers who are too often heavy on the "loyal" and light on the "opposition" welcome such a legislative legerdemain as they figure the monticulate magicians who try such a trick will end up making themselves disappear in the November mid-term elections. "If they try to jam health care through on partisan lines, I think November 2010 will be a very good month for us," Senator John Cornyn (R-Texas) told Fox News.

He may be right and Democratic Party leadership may know it. [According to reports published at politico.com](#), Senator Harry Reid and Speaker of the House Nancy Pelosi (D-Calif.) are diligently brainstorming to come up with a more palatable iteration of the healthcare bill that will attract a broader base of support and garner allies from erstwhile foes, namely unions and moderates.

The problem with Pelosi's tailoring is that the bill passed in the chamber over which she presides is already a really tight squeeze and there is little room for alteration. She will need every vote she has to pass a measure that acceptably resembles the version passed by the Upper House. There are various cliques in the House that are determined to push the "Nay" button should the offering be noticeably different from the one they passed late in 2009.

Given the monumental and perhaps impossible task of shoe-horning a compromise version of the two bills currently under consideration in Congress, [President Obama and others have floated the idea of coming up with a new, less controversial package](#). Sources have indicated that the President supports re-writing the legislation and instead of a buckshot bill, presenting a package that focuses narrowly on the more palatable aspect of healthcare overhaul, namely that of medical care insurance. Such a proposal summons the cackles of the left wing of the President's party, and they see any such move to the middle as betrayal. More levelheaded members, however, think that jettisoning the extra weight for something a little more aerodynamic and able to soar over the walls of partisanship is a good idea.

All in all, the version of healthcare "reform" that will be foisted onto the backs of taxpaying Americans will come down to a spreadsheet. Since passing their healthcare bill in November, the Democrats are down two votes (Representative Joseph Cao, Republican of Louisiana [who voted in favor of the bill the first time around] and Representative Robert Wexler [who retired] leaving Speaker Pelosi's squad with barely enough to field a team. There is time to cobble something together and for Democrats to



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Frankenstein a bloc large enough to pass something resembling a healthcare bill. With so many lawmakers having learned from Senators Nelson and Landrieu the helpful equation of “delay=money for your state,” Democratic Party leadership is going to need every second and every dime to come up with a pastiche of partnership strong enough to survive the debates.

Fortunately for the Left, their man is sitting behind the big desk in the Oval Office, and despite plummeting poll numbers and waning popularity among even his most ardent allies, President Obama still has a pocketful of political capital that he might want to spend on his legacy. The State of the Union address is this week, and friend and foe alike will be listening to see if the President will tip his healthcare pitch. This speech could be what some have described as a “make or break moment” for the dream (or nightmare) of universal healthcare coverage. If the President highlights the debate and throws his rhetorical weight in favor of radical reform, then advocates will be emboldened and pumped for an old fashioned donnybrook. If the President downplays or completely ignores the healthcare issue (as many in his own party hope), then foes will see the whites of their enemies’ eyes and shoot gaping, mortal holes in the body of fundamental and irreversible changes the Democrats’ leaders seek to enshrine.

Photo of Harry Reid and Nancy Pelosi: AP Images



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