

NY Times

# Senate Democrats Consider Tactic to Push Through Government Health Plan

By [ROBERT PEAR](#)

Published: August 23, 2009

WASHINGTON — Senate Democrats said Sunday that they were fleshing out plans to pass health legislation, particularly the option of a new government-run insurance program, with a simple majority, instead of the 60 votes that would ordinarily be needed to overcome a [filibuster](#).

After consulting experts in Senate rules and procedure, the Democrats said they were increasingly confident that they could legislate creation of a public plan in a way that would withstand challenges expected from Republicans.

Appearing Sunday on the NBC News program “Meet the Press,” Senator [Charles E. Schumer](#) of New York, the third-ranking Democrat in the Senate, said a public insurance plan was “essential to getting the costs down, which is our No. 1 problem.”

Proponents of a public plan say it would drive down costs because it would not have a profit motive and would have lower overhead costs and lower executive salaries than private insurance companies.

In Colorado on Aug. 15, [President Obama](#) said people had become “fixated” on the public plan option, which he described as “just one sliver” of efforts to overhaul the health care system.

Mr. Schumer said it was “looking less and less likely” that Republicans would support Democratic proposals to subsidize coverage for tens of millions of the uninsured. And Senate Democratic leaders said they had little hope that the chairman of the Finance Committee, Senator [Max Baucus](#), Democrat of Montana, would be able to forge a bipartisan compromise.

In the last week, Democrats have begun to talk openly of using a procedure known as budget reconciliation to pass a health bill in the Senate with a simple majority, assuming no Republican support. To do that, under Senate rules, they would probably need to show that the public plan changed federal spending or revenues and that the effects were not “merely incidental” to the changes in health policy.

Democrats believe they could clear this hurdle by demonstrating that the public plan would save money or cost money.

“If a public plan is shown to have a cost to the government that affects outlays or revenues, it could be included in a health care bill using reconciliation procedures,” said Martin P. Paone, a former Senate aide who has been consulted by Senate Democrats.

Republicans object to both the idea of a new government plan and the use of expedited procedures to push it through the Senate on a simple majority vote.

Senator [Orrin G. Hatch](#), Republican of Utah, said that using the budget reconciliation procedure to pass a health bill would be “an abuse of the process,” which was meant to focus on spending and tax policy. Moreover, Mr. Hatch said, “every Republican says that they will not be for a public option.”

Mr. Hatch said a new public insurance program could “bankrupt the country.” He said it made no sense to “throw out a system that works for 85 percent” of the population so Congress could take care of the 15 percent who were uninsured.

Senator [Joseph I. Lieberman](#), independent of Connecticut, said Mr. Obama should take a more gradual approach. “We morally, every one of us, would like to cover every American with [health insurance](#),” Mr. Lieberman said on “State of the Union” on CNN. But, he noted, “that’s where you spend most of the \$1 trillion” in expected costs over 10 years.

“We’ve got to think about putting a lot of that off until the economy’s out of [recession](#),” he added. “There’s no reason we have to do it all now, but we do have to get started. And I think the place to start is cost, health delivery reform and insurance market reforms.”

The administration continued on Sunday to wrestle with questions about planning for medical care at the end of life.

Senator [Arlen Specter](#), Democrat of Pennsylvania, called for hearings to investigate a guide used by the government to counsel veterans with critical or terminal illnesses.

On “Fox News Sunday,” H. James Towey, the director of the White House Office of Faith-Based and Community Initiatives under President [George W. Bush](#), said the guide seemed to encourage people to “hurry up and die.”

The booklet, [“Your Life, Your Choices,”](#) asks people to consider whether life would be worth living if, for example, they were in severe pain, relied on a feeding tube or a breathing machine, lived in a nursing home or imposed “a severe financial burden” on family members.

In addition, the booklet asks, “Have you ever heard anyone say, ‘If I’m a vegetable, pull the plug’?” It then explains that people have different ideas of what it means to be a vegetable or to “pull the plug.”

In a bulletin last month, the [Department of Veterans Affairs](#) recommended the booklet as a tool to help veterans with “advance care planning.”

[Tammy Duckworth](#), an assistant secretary of veterans affairs, said it was being revised.

But Mr. Towey said, “The document is so fundamentally flawed that the V.A. ought to throw it out.”