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## 'Obamacare' Survives

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By Editor Test      Thu, Jun 28, 2012

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*In making a tie-breaking vote, Chief Justice John Roberts allowed the so-called "individual mandate" of the Affordable Care Act to stand, on the grounds that the penalty for not buying health insurance is a tax, and that Congress has the power to tax.*

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The Supreme Court on Thursday left standing the basic provisions of the health care overhaul, ruling that the government may use its taxation powers to push people to buy health insurance, the New York Times [reported](#) today.

The [decision](#) was a victory for President Obama and Congressional Democrats, with a 5-to-4 majority, including the conservative chief justice, John G. Roberts Jr., affirming the central legislative pillar of Mr. Obama's presidency.

Chief Justice Roberts, the author of the majority opinion, surprised observers by joining the court's four more liberal members in the key finding and becoming the swing vote. Justice Anthony M. Kennedy, frequently the swing vote, joined three more conservative members in a dissent and read a statement in court that the minority viewed the law as "invalid in its entirety."

The decision did significantly restrict one major portion of the law: the expansion of Medicaid, the government health-insurance program for low-income and sick people, giving states more flexibility.