

A month of intense media focus on the Affordable Care Act, spurred by the three days of oral arguments in the Supreme Court over a case challenging the law, did little to change Americans' basic view on the health reform law. The public remains evenly divided between supporters and opponents of the law, a division that continues to fall neatly along partisan lines. There was also no change in views of the key provision being challenged in the court case—the individual mandate—which most Americans continue to look on unfavorably, nor in the proportion who hope the Supreme Court will overturn that provision (just over half). Over the same time period, however, there were several notable shifts in public opinion: a larger share of Americans report feeling they understand the law's personal impact; a larger share see the court case as potentially important to the future of the nation's health care system; and Republican confidence in the Supreme Court rose markedly. Looking forward, half would support the Court declaring the individual mandate unconstitutional with another quarter undecided. The anticipated public reaction to the entire law being overturned is division: overall, 45 percent say they would approve of the Court taking this step, 49 percent would disapprove. Not surprisingly, most Democrats would disapprove of such a decision and most Republicans approve. Finally, the survey found that while roughly six in ten Americans do not anticipate having to change their current health insurance arrangements once the individual mandate is implemented in 2014, nearly three in ten do expect to make some sort of change, including half of those currently uninsured, and two in ten of those with employer-sponsored insurance.

## NO CHANGE IN BASIC VIEWS OF ACA OR INDIVIDUAL MANDATE IN WAKE OF ORAL ARGUMENTS

Despite a period of intense nationwide focus on the Supreme Court's consideration of the constitutionality of parts of the Affordable Care Act (ACA) in recent weeks, views on the health reform law—and on the individual mandate which is at the heart of the challengers' case against the law—are unchanged over the course of the past month.

Opinion on the health reform law overall remains evenly divided—42 percent favor the ACA this month, 43 percent do not, virtually unchanged from March—and the individual mandate remains every bit as unpopular as it did last month, but no more so. Overall, 70 percent oppose this provision, including 53 percent who hold “very unfavorable” views. Overall, half the public (51 percent) believes the court should rule the mandate unconstitutional, identical to March. A majority also expect the Court to rule the individual mandate unconstitutional—59 percent, up slightly from 53 percent last month.

As was true in March, the large majority of the law's supporters say that a decision to overrule the individual mandate will not affect their view of the ACA overall. And on the flip side, a large majority of the law's opponents say that a finding that the controversial mandate is in fact constitutional will not lead them to feel any more warmly to the law as a whole. Americans' views on whether the law will benefit the country as a whole, or their family in particular also did not vary over the course of the month.

LITTLE CHANGE IN CORE ACA OPINIONS AFTER COURT ARGUMENTS			
	Now	March	
Do you have a generally favorable or generally unfavorable opinion of the health reform law?			
Favorable	42%	41%	
Unfavorable	43	40	
Would you say you feel favorable or unfavorable about the individual mandate?			
Favorable	30%	32%	
Unfavorable	70	66	
Do you think the Supreme Court should rule that the individual mandate is...			
Constitutional	26%	28%	
Unconstitutional	51	51	
Don't know enough to say	21	19	
<i>Among those with a FAVORABLE view of the ACA:</i>			
If the Supreme Court rules that the individual mandate is UNCONSTITUTIONAL would that make you...			
Feel more negatively about the rest of the law	11%	14%	
Wouldn't change your feelings	82	79	
<i>Among those with an UNFAVORABLE view of the ACA:</i>			
If the Supreme Court rules that the individual mandate is CONSTITUTIONAL would that make you...			
Feel more positively about the law in general	7%	9%	
Wouldn't change your feelings	81	80	

**REPUBLICAN CONFIDENCE IN SUPREME COURT RISES**

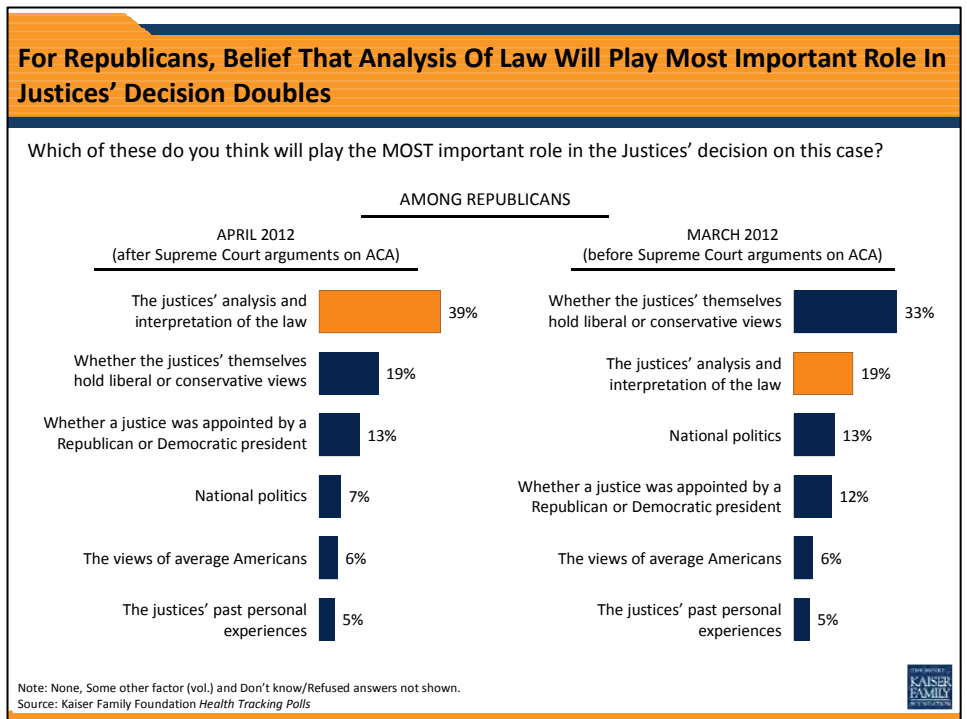
The proportion of the public expressing a high degree of confidence in the Supreme Court rose from 23 percent to 31 percent over the course of the month, driven by a big boost in confidence on the part of Republicans, who overwhelmingly disapprove of the ACA and seem to have heard something they liked in the Court’s consideration of the law. This month, 43 percent of Republicans report having “a great deal” or “a lot” of confidence in the Supreme Court, up 19 percentage points from last month and clearly differentiating this group from Democrats and independents as, at least for now, having more faith in the nation’s top judicial body.

REPUBLICANS GROW MORE CONFIDENT IN SUPREME COURT			
Percent who say they have “a great deal” or “quite a lot” of confidence in the U.S. Supreme Court	Now	March	Percentage Point Change
All	31%	23%	+ 8
Democrats	29	28	+ 1
Independents	28	21	+ 7
Republicans	43	24	+ 19

Meanwhile, Democrats did not change their views of the Court overall, while confidence among independents was up by a small margin (7 percentage points).

As was true last month, Americans name a variety of factors that they believe will motivate the Supreme Court’s final decision in the case; from straightforward legal analysis to the justices’ own political ideologies to more naked political considerations. However over the course of the month there was a noticeable jump in the proportion saying that the Justices’ analysis and interpretation of the law would play the most important role in their decision in the case: 30 percent now say so, putting this factor clearly at the top of the list, compared to 19 percent who said so last month.

Again, this bump up in a sense that the Court would be making their decision based primarily on straightforward legal analysis (popular with the public) rather than politics (unpopular with the public) was driven primarily by Republicans. Among Republicans, a clear plurality of 39 percent say that legal analysis will drive the Court’s decision, whereas last month, the plurality said that it was the justices’ own ideologies that would be the main factor in the decision.



**INCREASED ATTENTION TO SUPREME COURT CASE, INCREASED SENSE OF BEING INFORMED, AWARENESS OF MANDATE UP**

Another area where public opinion on health reform changed over the past month was attention to the health care law and familiarity with some of the ACA’s provisions.

Overall, half the public reported following news about the Supreme Court challenge at least fairly closely in April, up from 37 percent last March. Perhaps as a side effect of this heightened attention, the April tracking survey finds that a somewhat larger share of Americans now feel well informed about the ACA’s potential impacts: this month half (51 percent) say they feel they have enough information to understand how the ACA will affect them, up from 39 percent just one month ago, but obviously still not a large majority.

OPINION CHANGE CENTERS ON ATTENTION TO, AWARENESS OF, ACA		
	Now	March
How closely have you been following news about the case before the Supreme Court challenging parts of the health care law?		
Very/fairly closely	50%	37%
Not too/not at all closely	50	63
Do you feel you have enough information about the health reform law to understand how it will impact you?		
Yes	51%	39%
No	47	59
Would you say the health reform law does or does not require nearly all Americans to have health insurance by 2014 or else pay a fine?		
Yes	74%	64%
No	18	23

A larger share of both Republicans and Democrats now feel they have enough information to understand how the ACA will impact them, but this sense remains more pervasive among the GOP than among Democrats. A majority of Republicans—62 percent—believe they understand the law’s potential personal impact, compared to 46 percent of Democrats. Similarly, while attention to the court case was up among all political groups, the biggest uptick in attention came among Republicans, 58 percent of whom now say they are following the case closely, up 18 points since last month and higher than the reported attention level among Democrats or independents.

REPUBLICANS MORE LIKELY TO REPORT FOLLOWING SUPREME COURT CASE AND FEELING THEY HAVE ENOUGH INFORMATION TO UNDERSTAND LAW’S IMPACT				
	Percent who say they have enough information about ACA understand personal impact		Percent who report following the Supreme Court case “very” or “fairly” closely	
	Now	March	Now	March
Democrats	46%	32%	46%	36%
Independents	51	43	48	38
Republicans	62	45	58	40

Meanwhile, the proportion of Americans reporting familiarity with the requirement that nearly everyone will be required to have health coverage as of 2014 rose to a new high in the wake of the Supreme Court’s consideration of the provision’s constitutionality. Overall three in four Americans (74 percent) are aware that the individual mandate is part of the health care law, up from 64 percent last month.

There were also smaller increases in the proportion who recognized that the law includes an expansion of the Medicaid program, another aspect of the law involved in the Supreme Court’s discussion of the case, from 54 percent in March to 60 percent now, as well as in the percentage that knew the law would prohibit insurance companies from denying coverage based on a person’s medical history (51 percent in March, 57 percent now). The period of intensified debate over the law did not, however, lead to increased familiarity with *all* the law’s provisions. For example, the proportion that recognizes the law has closed the Medicare prescription drug “doughnut hole” went down to 42 percent from 51 percent when last measured in November.

**GREATER SHARE SAY CASE WILL IMPACT NATION**

The Court’s three days of oral arguments seem to have heightened the public’s sense that the case could be important to the nation overall, though as was true last month, only a minority see the case as potentially having a personal impact. Overall, roughly six in ten say the Supreme Court’s decision in the case will have a major impact on the nation and the future of its health care system, up roughly ten percentage points from March.

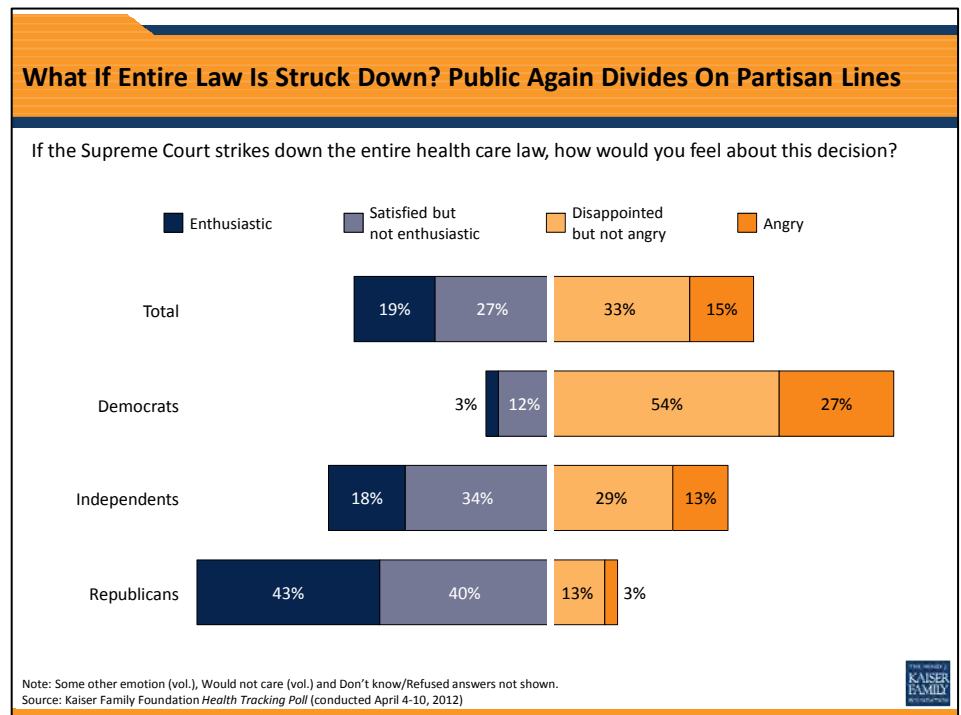
SOME MOVEMENT ON VIEWS OF SUPREME COURT CASE		
	Now	March
Percent who say the Supreme Court decision on the case will have “a lot of impact” on...		
...the future of the U.S. health care system	62%	49%
...the country as a whole	61%	50%
Percent who <b>expect</b> the court to rule the mandate UNCONSTITUTIONAL	59%	53%
Percent who say that if the Supreme Court rules that the mandate is unconstitutional, it effectively means the end of the entire law	37%	28%

There has also been a rise in the number of Americans who think that a decision that the mandate is unconstitutional will effectively mean the end of the whole law: 37 percent say so this month, compared to 28 percent in March. Still, a majority Americans (54 percent) continue to believe that the ACA can soldier on even without the mandate as part of the equation.

**AND IF THE COURT SHOULD OVERTURN THE WHOLE LAW? EXPECT A DIVIDED PUBLIC REACTION**

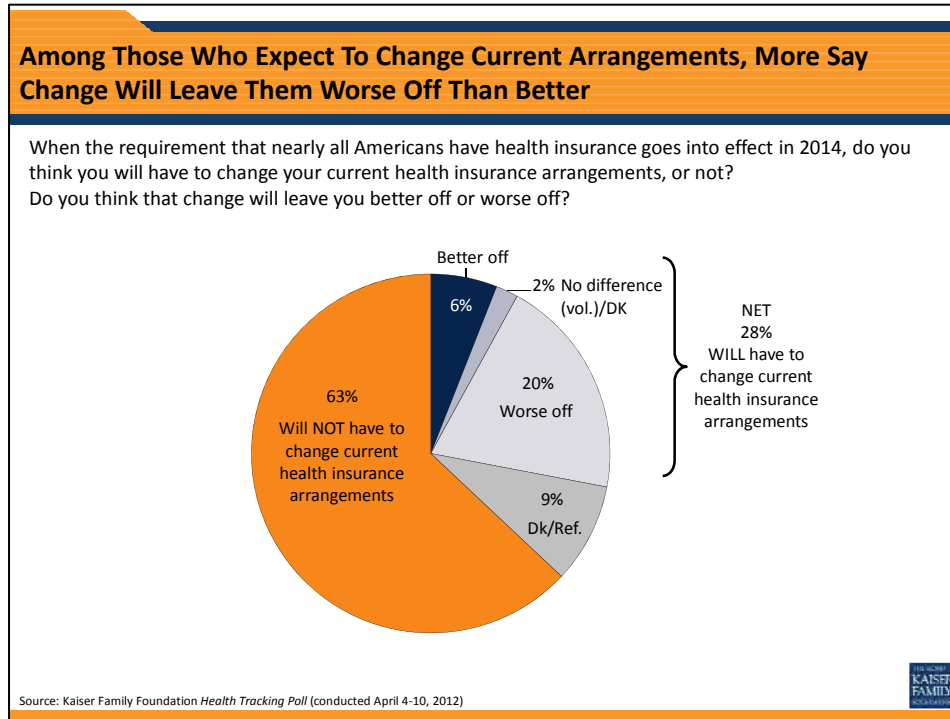
In line with the public’s general division on the ACA since its passage, Americans also divide in their anticipated reaction to the possibility that the Supreme Court would strike down the entire law, rather than only severing and overturning certain provisions. Overall, 45 percent say they would approve of the Court taking this step, 49 percent would disapprove. Not surprisingly, most Democrats would disapprove of such a decision, most Republicans approve.

In terms of their expected emotional reaction, a narrow majority of Democrats (54 percent) anticipate they would be disappointed but not angered by a Court decision overruling the entire health reform law, while roughly a quarter (27 percent) say they would, in fact, be angry if the Court took this step. Republicans would have the opposite emotions, though more predict they will feel strongly about the decision. Among Republicans, 43 percent imagine they will feel enthusiastic in the face of a full overturn of the ACA, another 40 percent satisfied. Independents are divided between the two poles of the emotional spectrum.



**NEARLY THREE IN TEN EXPECT THEY WILL HAVE TO CHANGE THEIR CURRENT HEALTH INSURANCE ARRANGEMENTS UNDER INDIVIDUAL MANDATE; TWO IN TEN EXPECT CHANGE WILL LEAVE THEM WORSE OFF**

The majority of Americans (63 percent) say they don't expect to change their current health insurance arrangements when the individual mandate goes into effect, but nearly three in ten (28 percent) believe they *will* have to make some adjustment in their family's current health insurance arrangements. And among that group, three times as many believe they will be worse off as better off after making that change (20 percent of Americans think they will be worse off, 6 percent better.)



**THE UNINSURED:** Given that the individual mandate requires nearly all Americans to have health coverage, these views differ a fair bit, as one might expect, by whether or not people currently have health insurance. Among the uninsured, half say the requirement to obtain coverage will mean they have to change their current insurance arrangements. Twice as many say this will leave them worse off as better off (30 percent versus 15 percent). Meanwhile, more than four in ten of the uninsured (44 percent) say they *don't* expect the individual mandate will require them to change their coverage status, a finding which could stem from any number of reasons: lack of familiarity with the law, a feeling that they might be among those exempted from the requirement, an anticipation that they will become covered between now and 2014, or an intention to forego coverage and pay the fine.

HALF THE UNINSURED EXPECT TO CHANGE CURRENT HEALTH INSURANCE ARRANGEMENTS				
	ALL	AMONG THOSE UNDER AGE 65 BY INSURANCE STATUS		
		Uninsured	Insured	ESI
When the individual mandate goes into effect in 2014, do you think you will have to change your current health insurance arrangements? Do you think that change will leave you better off or worse off?				
Yes, will have to change	28%	50%	23%	22%
Leave you better off	6	15	3	3
Leave you worse off	20	30	18	19
No difference (vol.)/DK	2	5	2	1
No, will not have to change	63	44	68	69
Don't know/Refused	9	6	9	8

The survey then asked the half of the uninsured who *did* expect to make a change in 2014 what specifically they were expecting they would do. The large majority of this group (68 percent) said they would have to obtain health insurance. Just over one in ten in the group of uninsured who expect to make a change thought they would be enrolling in Medicaid, and roughly the same proportion anticipated having to pay the fine.

IN WHAT WAYS WILL YOU HAVE TO CHANGE YOUR HEALTH INSURANCE COVERAGE ARRANGEMENTS?				
<i>Among those who think they will have to change their current health insurance arrangements</i>	ALL	AMONG THOSE UNDER AGE 65 BY INSURANCE STATUS		
		Uninsured	Insured	ESI
Will have to buy/get new coverage	45%	68%	34%	33%
Will have to pay more for current insurance	12	3	17	17
Will enroll in Medicaid	10	12	8	7
Will have to pay a fine	9	13	8	7
Quality of coverage will change	5	-	6	8
Will have to change insurance companies/fewer choices of insurers	5	-	7	7
Will lose coverage you have now	2	-	3	5
Employers will drop/change employees' insurance	1	-	2	2
Other/Don't know	22	15	25	26

**THE INSURED:** Among those with health coverage, nearly a quarter (23 percent of all the insured under age 65) believe they will need to change their current health insurance arrangements when the mandate is implemented in 2014. This is equally true of that subset of the insured population that obtains their insurance through an employer: here, 22 percent anticipate their arrangements will change under the individual mandate. Overall, 3 percent of the insured believe there will have to be a change but it will leave them better off, while 18 percent expect the change will leave them worse off. While there are many provisions of the ACA that may affect the specifics of health insurance plans, the vast majority of those with employer-sponsored insurance (ESI) would not have to personally shop and purchase new coverage as a result of the mandate.

According to the survey, that group of insured Americans that expect to have to change their health coverage arrangements in 2014 is imagining a diversity of possible issues. One in three in this group—and the same proportion of those with employer-sponsored insurance—say they believe they will buy or get new coverage in 2014. Nearly two in ten in the group anticipate that they will pay more for coverage when the individual mandate goes into effect. Nearly one in ten say they think they will enroll in Medicaid, and a similar proportion expects to be fined. Others expect that there will be fewer choices of insurers, or that the quality of their coverage will change somehow. It is impossible to determine how realistic these expectations are, though many policy experts suggest that most of those currently covered by ESI should not experience major changes in their coverage due to the implementation of the individual mandate.

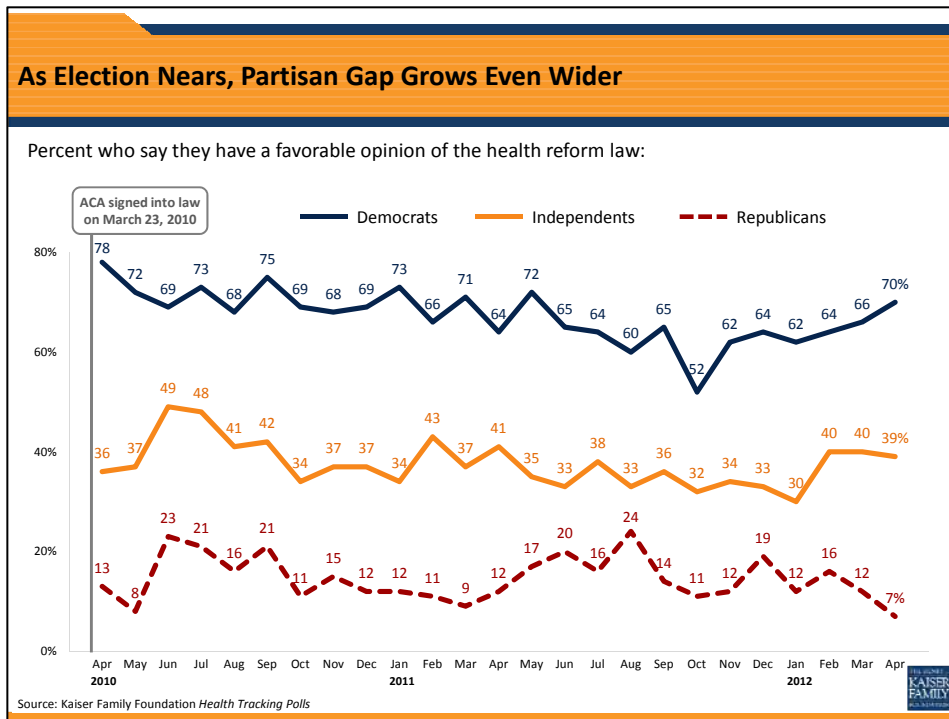
**MEDIA COVERAGE SEEN AS MORE NEGATIVE THAN POSITIVE**

Another side effect of the active discussion of the ACA spurred by the Supreme Court’s oral arguments was an increase in the proportion of Americans reporting having seen media coverage of the law. This month, six in ten said they had seen at least “some” coverage of the ACA in the news, compared to 41 percent in November. While about half that group reported the coverage they viewed was evenly balanced, among those who did sense the coverage tended toward one perspective or the other, the majority perceived it as “mostly negative”.

One in three Americans also reported seeing some type of ad about the health care law over the past month, with 56 percent of that group reporting the commercials they saw were mainly opposed to the law, 22 percent saying they were mainly in support, and 20 percent saying they had seen a mix of both. Most in the group said the ads didn’t really change their views of the ACA, but among those who *were* influenced by the ads, nearly twice as many said they felt more negative as felt more positive (24 percent of those who reported seeing ads felt more negative, versus 13 percent that felt more positive).

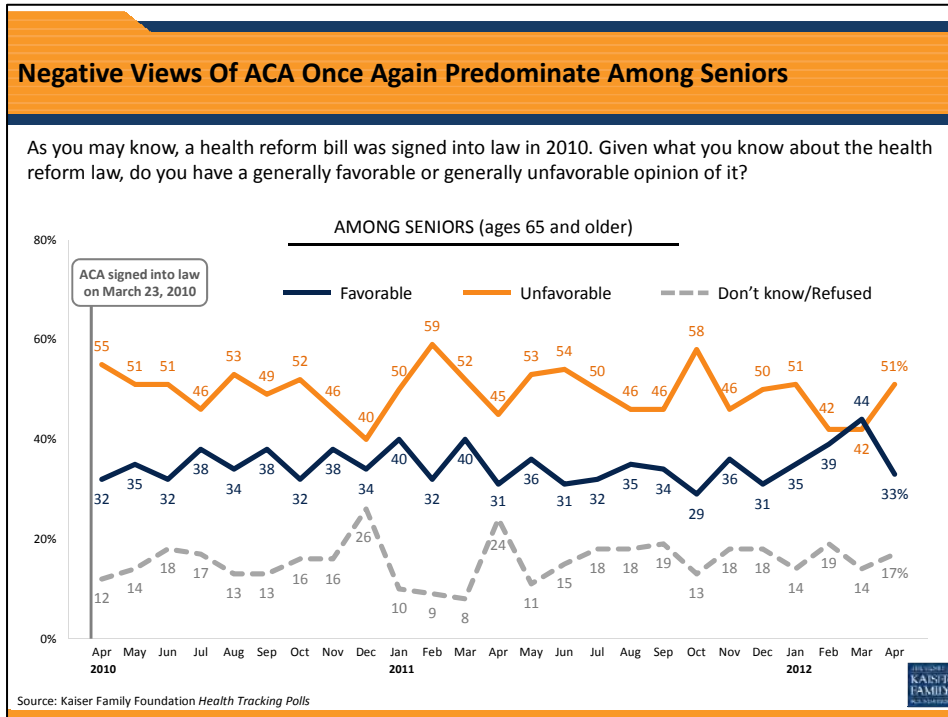
**OTHER ACA OPINION UPDATES: PARTISAN VIEWS SLOWLY INTENSIFY**

As the law has regained center stage in recent months, the already stark partisan divide has become even more exaggerated, as Democrats and Republicans line up in their opposite camps. Support among Democrats clocked in at 70 percent this month, the highest it’s been since last spring, while support among Republicans is in the single digits (7 percent), a new low in Kaiser polling. Among Republicans, a remarkable 67 percent say they have “very unfavorable” views of the law, compared to 39 percent of Democrats with “very favorable” views, exemplifying the intensity gap on the law that has persisted over several years now.



## AMONG SENIORS, UNFAVORABLE VIEWS ONCE AGAIN OUTSTRIP FAVORABLE VIEWS

A boost in seniors' support for the health reform law over the past three months evaporated this month, with opposition to the law once again significantly outstripping support among the 65 and older crowd. In April, 51 percent of seniors had an unfavorable view of the ACA, 33 percent a favorable view, and 17 percent did not have an opinion.



### METHODOLOGY

This *Kaiser Health Tracking Poll* was designed and analyzed by public opinion researchers at the Kaiser Family Foundation led by Mollyann Brodie, Ph.D., including Claudia Deane, Sarah Cho, and Theresa Boston. The survey was conducted April 4-10, 2012, among a nationally representative random digit dial telephone sample of 1,210 adults ages 18 and older, living in the United States, including Alaska and Hawaii. Interviews conducted by landline (705) and cell phone (505, including 283 who had no landline telephone) were carried out in English and Spanish by Braun Research, Inc. under the direction of Princeton Survey Research Associates International (PSRAI). The combined landline and cell phone sample was weighted to balance the sample demographics to match Census estimates for the national population on sex, age, education, race, Hispanic origin, nativity (for Hispanics only), region, and telephone usage.

All statistical tests of significance account for the effect of weighting. The margin of sampling error including the design effect is plus or minus 3 percentage points. For results based on subgroups, the margin of sampling error may be higher. Note that sampling error is only one of many potential sources of error in this or any other public opinion poll.

The full question wording and methodology of the polls can be viewed online at: <http://www.kff.org/kaiserpolls/8302.cfm>.

This publication (#8302-F) is available on the Kaiser Family Foundation's website at [www.kff.org](http://www.kff.org).