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Henry J. Kaiser Family Foundation

**Abstract**

On March 23, 2010, President Barack Obama signed the Patient Protection and Affordable Care Act (ACA) into law. The law, which includes provisions to rein in the cost of health care and improve the health delivery system, will be phased in over several years. In the interim, this signature accomplishment remains mired in intensely partisan debate, reflective of the fact that it passed the U.S. House and Senate on party line votes, and candidates for the Republican presidential nomination continue to express an interest in repealing it wholesale. In this paper, we rely on a monthly survey series conducted by the Kaiser Family Foundation to assess public reaction to the ACA across the first year of its existence, noting both the continuities of opinion and the inherent contradictions in people's views.

**Keywords:** Affordable Care Act, health policy, medicare, medicaid, health insurance

# Public Opinion on the Affordable Care Act at One Year: Continuities and Contradictions

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Mollyann Brodie  
Henry J. Kaiser Family Foundation

## I. The Affordable Care Act

On March 23, 2010, after a year of intense congressional debate, President Barack Obama signed the Patient Protection and Affordable Care Act (ACA) into law. With the passage of the health reform legislation that had been a signature plank in Obama's 2008 presidential campaign, millions of low- and moderate-income Americans who are currently uninsured will gain access to coverage either through the expansion of the existing federal-state Medicaid program or through a combination of government subsidies and access to newly created health care marketplaces. The law, which includes provisions to rein in the cost of health care and improve the health delivery system, will be phased in over several years. In the interim, however, this signature accomplishment remains mired in intensely partisan debate, reflective of the fact that it passed the U.S. House and Senate on party line votes, and candidates for the Republican presidential nomination continue to express an interest in repealing it wholesale. In this paper, we rely on a monthly survey series conducted by the Kaiser Family Foundation to assess public reaction to the ACA across the first year of its existence, noting both the continuities of opinion and the inherent contradictions in people's views.

## II. Methodology

Data presented here rely on monthly surveys designed and analyzed by the Henry J. Kaiser Family Foundation in each month since passage of the ACA. We lean particularly heavily on the March 2011 Kaiser Health Tracking survey that measured opinion at the first anniversary of the health reform law. We focus primarily on the surveys conducted within the first year of the law's existence for ease of discussion but note that the results of more recent Kaiser Health Tracking polls mirror the ongoing trends presented in this paper.<sup>1</sup> The March survey was conducted March 8–13, 2011, among a nationally representative random sample of 1,202 adults ages 18 and older. Telephone interviews conducted by landline (801) and

cell phone (401, including 171 who had no landline telephone) were carried out in English and Spanish by Princeton Survey Research Associates. The margin of sampling error for results based on the full sample is plus or minus three percentage points.<sup>2</sup> The full question wording, results, charts and a brief on the March poll—as well as the other monthly polls referenced in this paper, which were all conducted using the same methodology—can be viewed online.<sup>3</sup>

### **III. Stability of Overall Opinion on Health Reform**

In some ways, the most remarkable aspect of public opinion on the ACA is its stability. A year of postpassage debate on the merits of the law, a successful repeal vote in the U.S. House of Representatives, and the beginning stages of the law's implementation, have done remarkably little to change the overall shape of Americans' opinions. In March 2011, one year after the law's passage, the Kaiser Health Tracking Poll found that 42 percent of Americans held favorable views of the ACA while 46 percent viewed it unfavorably. In April 2010, immediately after passage, the divide was not markedly different: 46 percent favorable versus 40 percent unfavorable. In the intervening months, opinion wavered around this basic divide (Table 1), a divide that predates passage of the law by several months.<sup>4</sup>

### **IV. Overall Stability Masks Wide Partisan Divide**

The overall division of opinion cloaks another lasting divide: the persistently partisan cast of opinion on health reform. The one-year-anniversary survey found that a large majority of those Americans who self-identified as Democrats backed the law (71 percent in the March 2011 survey), as had been true throughout the year. Most Republicans opposed the law (82 percent) as they have consistently since passage. Independents were divided in March 2011, but tilted toward negative views (37 percent hold a favorable view, 49 an unfavorable one), again a familiar pattern over the course of the year (Table 1).

An additional nuance: while political Independents as a group have been fairly divided on the law, sorting this group into those who lean towards the Democrats, those who lean toward the Republicans and those who don't have a declared partisan leaning makes it clear that partisan views of the ACA exist even here. In March 2011, for example, 33 percent self-identified as Independents. When asked whether they leaned in one direction or the other, however, a total of 12 percent "lean towards the Democrats," 14 percent "lean towards the Republicans," and 16 percent had no partisan leanings. Looking at views of health reform through this lens, as Figure 1 shows, it's clear Democrat-leaning independents resemble Democrats in their strong support of the law (61 percent had a favorable view) and Republican-

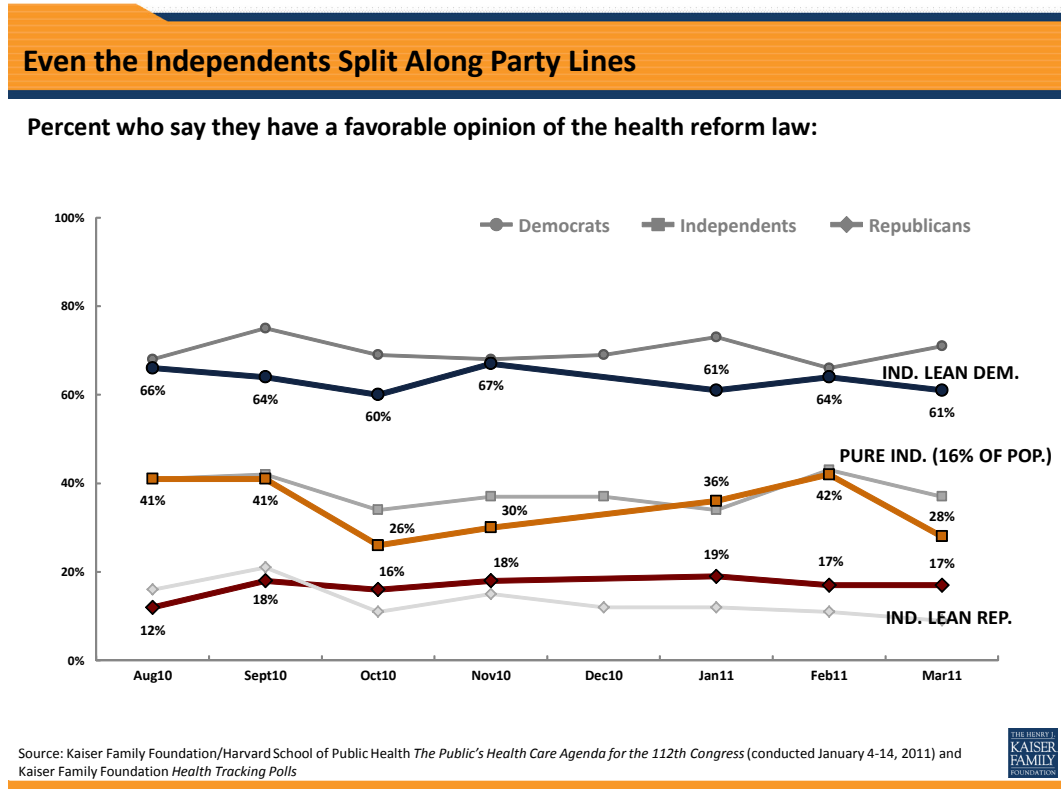
**Table 1. The Health Law’s First Year**

	4/10	5/10	6/10	7/10	8/10	9/10	10/10	11/10	12/10	1/11	2/11	3/11
Percent who view the law as...												
Favorable	46%	41%	48%	50%	43%	49%	42%	42%	42%	41%	43%	42%
Unfavorable	40	44	41	35	45	40	44	40	41	50	48	46
DK	14	14	10	14	12	11	15	18	18	9	8	13
Percent who have a favorable view of the law by party identification												
Democrat	78	72	69	73	68	75	69	68	69	73	66	71
Independent	36	37	49	48	41	42	34	37	37	34	43	37
Republican	13	8	23	21	16	21	11	15	12	12	11	9
Percent who have a favorable view of the law by age												
18-64 years old	49	43	52	53	46	51	44	42	44	41	45	42
65 or older	32	35	32	38	34	38	32	38	34	40	32	40
Percent who have a favorable view of the law by race/ethnicity												
Black	67	65	68	67	64	77	66	66	73	76	64	67
Hispanic	68	54	66	73	62	60	66	59	52	51	59	59
White	39	35	43	45	36	42	34	32	34	33	37	34
Percent who have a favorable view of the law by insurance status												
Insured <65 years old	48	44	53	53	45	50	44	41	46	40	47	43
Uninsured <65 years old	50	42	50	57	46	53	44	46	36	43	40	36
Percent who have a favorable view of the law by annual income												
Less than \$40,000	50	47	49	56	46	54	47	44	42	41	46	41
\$40,000-\$89,999	45	42	53	47	46	48	43	39	47	38	44	41
\$90,000 or more	44	40	48	49	42	36	41	44	43	46	43	42
Source: Kaiser Family Foundation <i>Health Tracking Polls</i> .												

leaning independents resemble Republicans in their strong opposition (71 percent had an unfavorable view), leaving only a small group (16 percent of the population) truly in the middle.

Another consistent aspect of the partisan opinion divide is Republicans’ greater intensity of feeling. Shortly after passage, the April 2010 survey asked whether they felt “very” or “somewhat” unfavorably toward the law, fully six in ten Republicans chose the more extreme “very unfavorable” to describe their views, a pro-

Figure 1



portion that was essentially unchanged one year later (59 percent). While intensity of support among Democrats spiked right before passage, it settled down last May and the proportion with “very favorable” views of the law has hovered in the 30 to 40 percent range since then. In March 2011, 40 percent of Democrats said they had a “very favorable” view of the law.

It’s worth noting that evidence of a strongly partisan reaction to health reform was apparent even at the inception of the debate. A survey conducted less than a month after President Obama was inaugurated found that while most Democrats (79 percent) said it was more important than ever to take on health care reform, most Republicans (58 percent) believed that, given the serious economic problems facing the country, it was not a good time to address problems in the health care system.<sup>5</sup>

## **V. Views Also Differ by Racial/Ethnic Group and by Age**

There have been other consistent patterns in opinion toward health reform across key demographic groups, though none are as dramatic as the differences we see by party identification. The largest of these gaps is that by racial and ethnic identity. Over the course of the year, blacks and Hispanics have been consistently more supportive of the ACA than have whites (Table 1). While there is certainly a party identification component underlying this difference (as most blacks, and a disproportionate number of Hispanics, self-identify as Democrats) differences in party affiliation do not entirely explain the differing view of blacks and Hispanics as compared to whites on health reform.

There have also been consistent differences by age. Seniors ages 65 and over have consistently been somewhat less likely than younger Americans to have favorable views of the law, somewhat more likely to have unfavorable views, and somewhat less likely to say they will be aided by the law. As far back as July 2010, a plurality of seniors has said that the Medicare program will be worse off under the ACA. Though the law is aimed at extending health coverage to the ranks of the low income and uninsured, polls have not, to this point, shown major differences in opinion on the ACA by income or insurance status (Table 1).

## **VI. Views on Repeal Have Mirrored Overall Favorability**

The public also turns in a mixed verdict when it comes to “what next” for the ACA. In March 2011, 21 percent supported leaving the law as is and another 30 percent even supported expanding it. In contrast, 21 percent would repeal the law and not return to the subject of health reform, while 18 percent would repeal the law and replace it with a Republican alternative. These views are predictably partisan, with most Democrats supporting the law as is (30 percent) or even an expansion of the law (49 percent). Most Republicans support some version of repeal: 39 percent favor repealing the law and replacing it with a GOP-sponsored alternative and 35 percent want to repeal and not replace it.

If repeal should fail, the majority of Americans oppose the idea of using the legislative budgeting process to stop some or all of health reform from being put into place. In March 2011, 64 percent disapproved of this tactic, including a majority of Democrats (86 percent) and Independents (65 percent). Most Republicans (61 percent), approved cutting off funding for the law

## **VII. Reasons for Support and Opposition**

Asked to explain their favorable views of the ACA in their own words, about half of those with positive views referred in some way to expanded access to health insurance and/or medical care. In March 2011, for example, 51 percent of those who viewed the law favorably made such a mention. Those with negative views provided a wider spectrum of reasons. At the top of the list: 20 percent were concerned about costs; 19 percent were concerned about the role of government; and 18 percent mentioned opposition to the individual mandate, the provision of the law that will require Americans to either carry health insurance or pay a fine.

These issues of cost and government intrusion percolated to the top early in the debate. A survey conducted in December 2008, after Obama's election but before his inauguration, found that the top two arguments in souring people on a health reform proposal were that it "would get the government too involved in your personal health care decisions," (65 percent said this makes them less likely to support any health reform proposal) and that it "was going to increase people's insurance premiums or other out-of-pocket costs (61 percent)."<sup>6</sup>

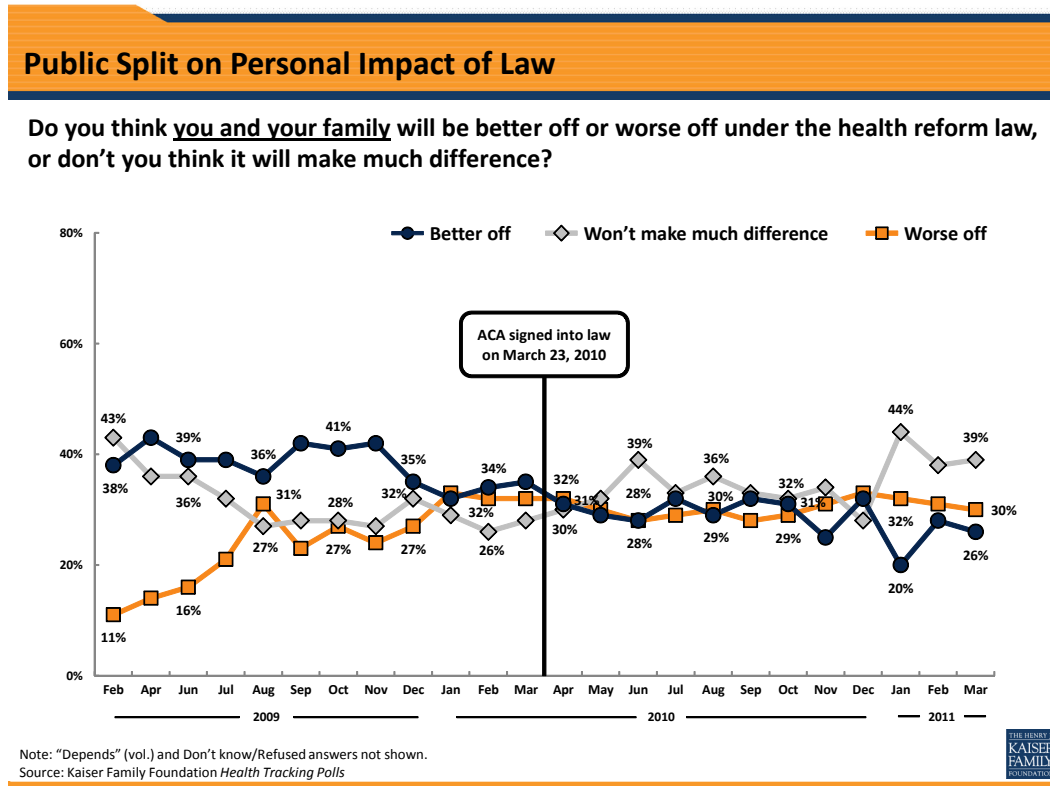
## **VIII. Little Change in Perceptions of Personal Benefit**

There has also been markedly little change over time in the proportion of Americans who believe they will personally benefit from the new health reform law. As Figure 2 shows, the proportion who think they will be better off under the new law has ranged between 20 percent and 32 percent over the course of the year.<sup>7</sup> The proportion who think they will be worse off has been even steadier, ranging between 28 percent and 33 percent over that time period. During this time, there has been no lack of effort on the part of the administration and the law's proponents to convince Americans that a wide variety of people will be helped by the law. At the same time, opponents have consistently hammered home the message that people might end up worse off under the ACA. Rather than creating volatility, these opposing forces seem to have created a stalemate.

As to who *will* benefit from the law, the September 2010 survey shows that Americans are most likely to say that the low income (60 percent say this group will be better off under the law), the uninsured (57 percent) and those with pre-existing conditions (55 percent) will benefit, all groups that the law specifically targets for aid. In contrast, and in a reflection of the findings above, they are quite divided as to whether the middle class will benefit, with 38 percent saying middle-class Americans will be better off and the same percentage saying they will be worse off.



Figure 2



### IX. Short Term Deliverables and Coverage Expansion Remain Popular; Individual Mandate Is Not

One of the major contradictions in public opinion on health reform is that even as there is no public majority in favor of the ACA as a whole, many individual provisions of the law are popular with the American public and have been for some time. In particular, the law’s early deliverables—the provisions that will be implemented in the next several years—stand out as fairly uniformly popular, a feature that was likely built into the legislation to help cement public support. But the longer term coverage expansions are popular as well. A January 2011 poll,<sup>8</sup> for example, found that over three-quarters of the public felt favorably towards requiring drug makers to offer a 50 percent discount on brand-name drugs for people in the Medicare doughnut hole (85 percent), providing subsidies for low- and moderate-income Americans to buy health insurance (79 percent), and establishing a voluntary insurance program for long-term care services (76 percent), also known as

the CLASS act. About two-thirds liked the fact that the law expands the Medicaid program (67 percent), requires insurance companies that spend too little on health care services to give customers a rebate (66 percent), and eliminates cost sharing for preventive services for Medicare enrollees (65 percent). About six in ten looked favorably on provisions that provide bonuses to physicians providing primary care to Medicare recipients (61 percent) and reduce payments to Medicare Advantage plans (56 percent).

Not every provision of the law is supported by a large majority, however, and given the wide reach of the ACA, we have not been able to test every provision's popularity on a survey. For example, several key provisions split the public. The employer mandate is viewed favorably by 48 percent, but viewed unfavorably by 51 percent. The requirement that wealthier seniors pay somewhat higher Medicare premiums is backed by 53 percent but opposed by 45 percent.

The one provision of the bill that has been consistently *unpopular* with a clear majority of the country since passage is the individual mandate, the provision that will require Americans to either have health insurance or pay a fine (76 percent unfavorable vs. 23 percent favorable). The law's advocates maintain that without an individual mandate, healthier people will refrain from joining the health insurance exchanges, leaving a disproportionately unhealthy—and costly—group of Americans to be covered.

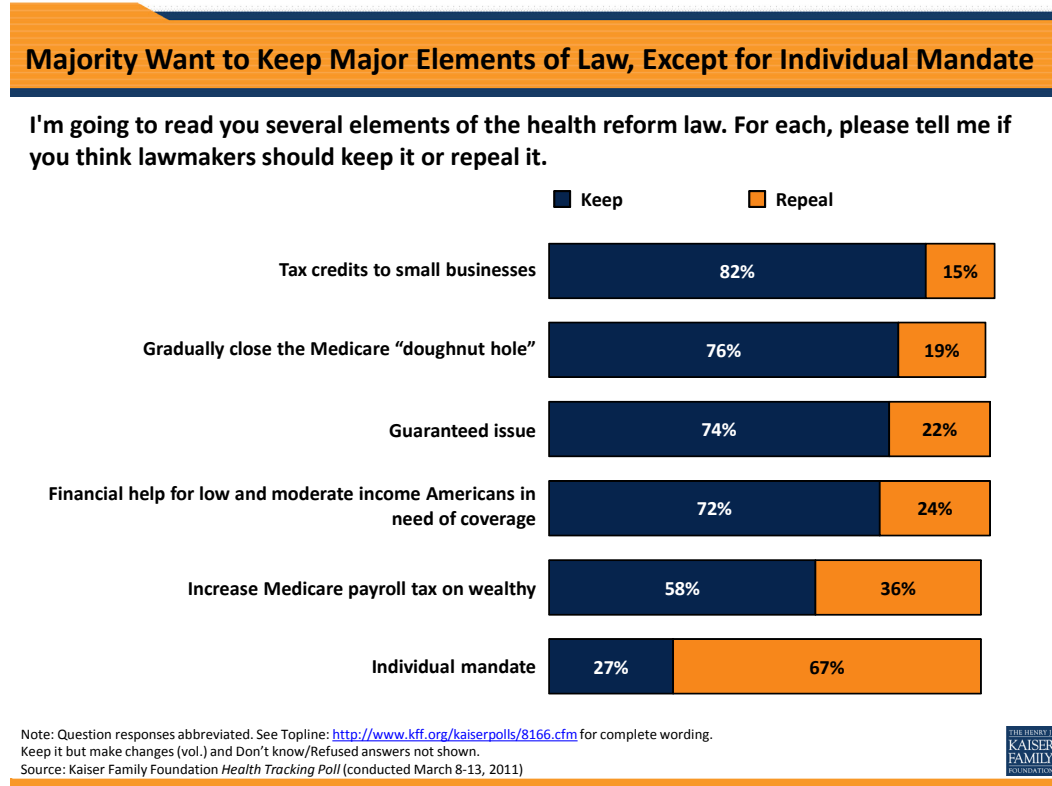
More evidence that the public is of mixed mind in terms of the law's provisions: when Americans were asked at the one-year anniversary whether they would support repeal of individual provisions of the law, the only provision that a majority were ready to let go of is the individual mandate (Figure 3). Overall, in March 2011, eight in ten would like to keep the tax credits for small business, and upwards of seven in ten would like to keep the guaranteed issue provisions, the changes that impact the Medicare prescription drug "doughnut hole," and the income-based health insurance subsidies. With the exception of the latter, these provisions are even supported by majorities of Republicans.

## **X. Meanwhile, Early Provisions of Law Have Begun To Be Implemented**

While most of the ACA's major provisions take effect in 2014 and beyond, there are some early deliverables in the law that have been implemented over the first year. For example, there has been a fair bit of publicity around the provision that provides parents the opportunity to keep their children on their insurance policy until age 26.

Currently, small but measurable groups of Americans say they have benefited from the health reform law and, on the opposite end of the spectrum, believe they have been harmed by it. In both cases, however, the survey is limited in only

Figure 3



being able to report how the public *believes* they have been impacted, rather than how many have actually have been impacted, since it is often difficult for people to discriminate between changes wrought by the new law and changes that would have occurred even in its absence. In March 2011, 13 percent said their family had benefited from health reform over the past year, while 20 percent reported having suffered a negative effect. As an example of the challenges in interpreting these findings, 58 percent of those who said they have been harmed by the ACA in some way named “costs” as the problem. There is no way of knowing, however, whether the cost increases they are suffering are indeed specifically caused by the ACA or whether they are wrongly interpreting the general upward pressure on health costs in the market as the fault of the new law.

### XI. Consistent Confusion over Content of Law

Despite ongoing education efforts by the federal government and numerous stakeholders, many Americans—legitimately distracted by the demands of everyday

life, the pressures of a bad economy, and the complexity of the legislative changes—continue to report that they are confused and lack information about how the year-old health reform law will affect them (Figure 4). In March 2011, just over half (53 percent) of Americans reported feeling confused about the law, nearly identical to the proportion who reported feeling confused immediately after its passage (55 percent in April 2010).

Similarly, at the law's one-year anniversary, fully 52 percent of the public said they did not have enough information about the health reform law to understand how it will impact them personally, while 47 percent said they did. Again, this is nearly identical to the proportions found immediately after passage last April, when 56 percent said they did not have adequate information. Reported lack of understanding is higher among several key populations such as lower income and the uninsured. For example, six in ten uninsured (60 percent) say they do not know enough about potential impacts, along with six in ten (61 percent) of those living in lower-income households.<sup>9</sup>

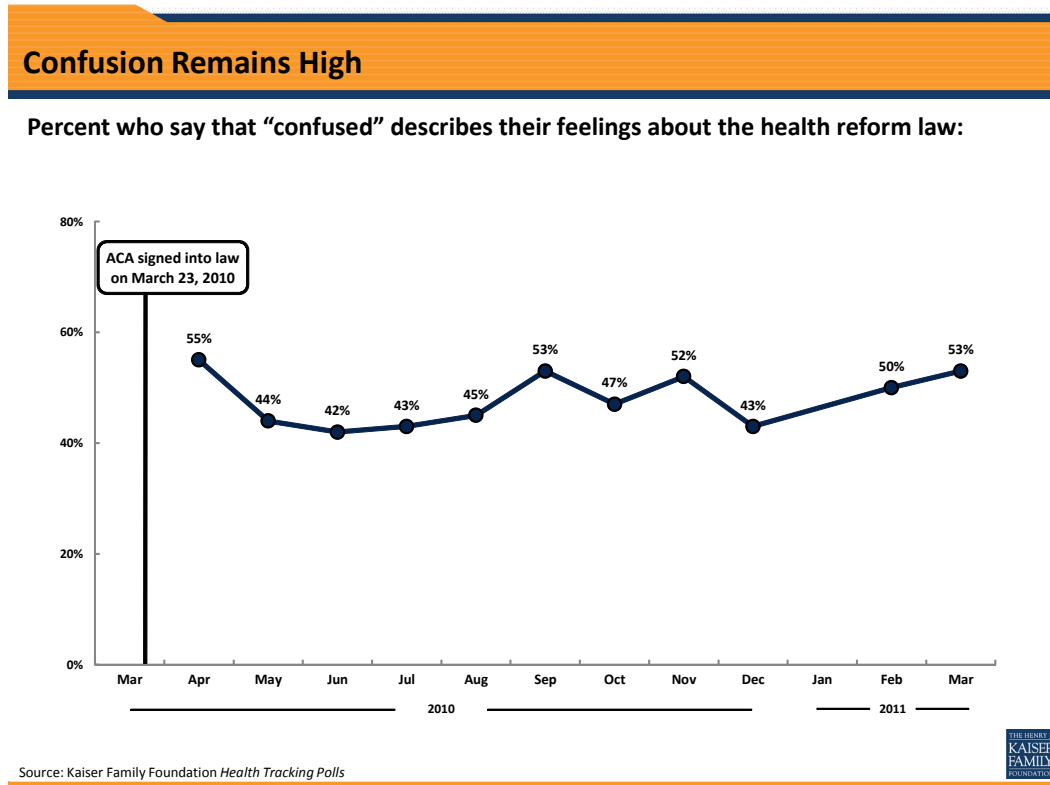
Surveys confirm that familiarity with the details of the complex law is, at this point, somewhat limited. In terms of the big picture, the February 2011 Kaiser Health Tracking Poll found that 22 percent of Americans believed the health reform law had been repealed and was no longer law, and an additional 26 percent did not know, though in fact only the U.S. House had voted on repeal, with no action having been taken in the Senate.

When it comes to details, a 10-item “quiz” included on the December 2010 Health Tracking Poll shows that many Americans also continue to believe false information about the ACA. On the positive side, Table 2 shows that, on the one hand, at least six in ten Americans can correctly identify several key provisions as being included in the law, including health insurance subsidies, small business tax credits, and the individual mandate. For each of these, however, at least three in ten were not aware of their inclusion in the new law. Americans were much less able to sort out false statements about the law. For example, 40 percent believe there are so-called “death panels” in the ACA, and another 15 percent aren't sure. And 41 percent wrongly believe that undocumented immigrants will receive financial help from the government to buy health insurance, with another 16 percent unsure whether this is true or not.

## **XII. Malleability a Consistent Feature of Opinion on the ACA**

From the inception of the debate on health reform, public opinion has been marked by its malleability in the face of opposing arguments, hardly a surprising trait given the complexity of the topic and the public's general lack of familiarity with the possible tradeoffs—real or alleged—involved in various aspects of the

Figure 4



legislation and then the law. We tried to mimic the messaging that Americans heard as opponents stressed the downsides of change and proponents extolled the benefits by providing respondents with arguments they might easily have heard in the public debate. For example, the November 2009 Health Tracking Poll, fielded before the legislation took its final shape, found that two in three Americans (68 percent) said they would “favor requiring employers to offer health insurance to their workers or pay money into a government fund that will pay to cover those without insurance.” Yet when those who favored the general idea of an employer mandate were provided opponents’ standard argument that “this may cause some employers to lay off some workers,” overall support dropped nearly 40 percentage points to 30 percent, a finding that presaged an eventual softening of support for this provision of the law.

On another aspect of the law, even as opposition to the *individual* mandate has hardened, there is still some movement in views in the face of similar argument testing. For example, told in the March 2011 poll that “under the reform law, most Americans would still get coverage through their employers and so would automa-

**Table 2**

STATEMENT ABOUT HEALTH CARE LAW	TRUE OR FALSE?	CORRECT	INCORRECT	
			Wrong Answer	Don't Know
Provide subsidies to low- and moderate-income Americans	True	72%	18%	10%
Prohibit insurers from denying coverage because of health status	True	67%	25%	9%
Provide tax credits to small businesses that offer coverage to their employees	True	65%	22%	13%
Individual mandate	True	64%	24%	11%
Expand the existing Medicaid program to cover low-income, uninsured adults regardless of whether they have children	True	62%	20%	18%
Allow a government panel to make decisions about end-of-life care for people on Medicare	False	45%	40%	15%
Allow undocumented immigrants to receive financial help from the government to buy health insurance	False	42%	41%	16%
Cut benefits that were previously provided to all people on Medicare	False	40%	45%	15%
Create a new government-run insurance plan to be offered along with private plans	False	27%	59%	14%
Require all businesses, even the smallest ones, to provide health insurance for their employees	False	25%	65%	10%

Data from December 2010 Kaiser Health Tracking Survey. For exact question wording see <<http://www.kff.org/kaiserpolls/8127.cfm>>.

tically satisfy the requirement without having to buy any new insurance,” support for repealing the individual mandate fell from 67 percent to 35 percent (Figure 5).

### **XIII. Discussion**

The Affordable Care Act’s first year of life has not been a calm one. Instead of the debate over its merits fading with its passage, it seemed to intensify, with opponents (and eventually proponents) continuing to make their cases in public settings, on the airwaves, and on the campaign trail during the 2010 midterm elections. Even as the law continued to be contested, however, the federal and state governments began its implementation, and some Americans began to feel its effects. Given this setting, one might expect that public opinion on the issue would have shifted over the year, but in fact it did not.

Not only did Americans’ overall views on reform not change, but some of the hallmarks of opinion on the ACA at passage remain its hallmarks today. The role of government continues to be a flashpoint, opinion continues to be quite malleable, seniors continue to be less supportive, and the aspects of the law that require sacrifice continue to be the least popular.<sup>10</sup>

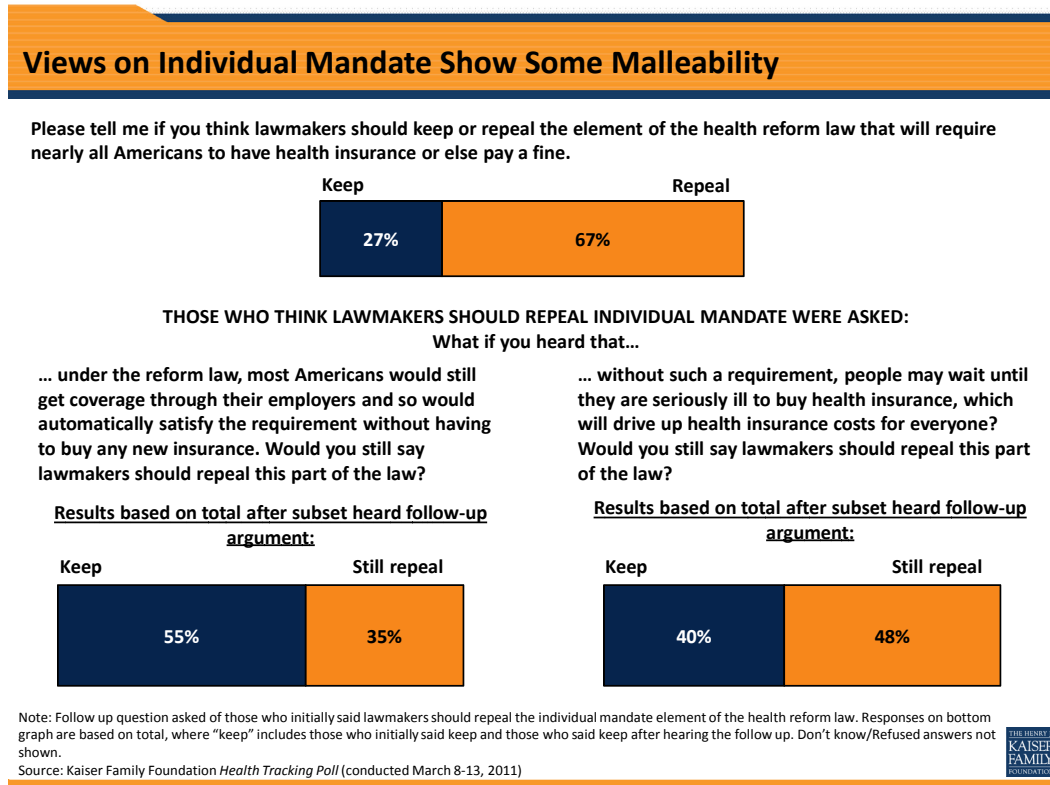
This stability, which has continued since the year anniversary of the law, may in part have been caused by the deep partisan roots of opinion on the ACA. Given that Democratic policy elites, including President Obama, continued to defend the law and Republican policy elites continued to adamantly oppose it, it is not surprising that Americans who identify with each party maintained their disparate views.<sup>11</sup> It may also be caused by the fact that Americans continue to debate what, for most people, is an abstract concept. The coverage-expansion provisions in the ACA, which will eventually impact the most people, do not kick in until 2014, and until then for most people the law remains an abstraction.

Finally, given the extent to which other policy issues have taken center stage, from the continuing recession-like conditions in the economy to the debate about the federal budget deficit, this debate may be somewhat frozen in time for the average American.

Like this year’s budget debate, in which most Americans express great concern about the nation’s debt but show little interest in tackling the entitlement spending that contributes to it so mightily, the debate about health reform contains some real contradictions in opinion. Americans as a whole continue to be divided on the law even as most express enthusiasm for several of its key features.

This debate will now go forward in the context of a presidential campaign season in which the ACA is likely to be debated in a political and partisan context rather than a practical one. To the extent that this is the case and the issue remains more one of ideology than of tangible experience with changes in the health care

Figure 5



system, one might expect the public's divided views to remain as they are. To the extent that health reform fades into the background of the 2012 presidential campaign and implementation of its concrete provisions begins to outpace the political debate, one might expect slow change in views over time. Until the major provisions take effect and people have real experiences with the law, it is difficult to take opinion as settled, no matter how stable it has been over the ACA's first year.

**Notes**

<sup>1</sup> For example, in August 2011, 39 percent of the public had a favorable view of the law and 43 percent had an unfavorable view, not significantly different from the March 2011 survey (42 percent favorable, 46 percent unfavorable).

<sup>2</sup> Note that sampling error is only one of many potential sources of error in this or any other public opinion poll.

<sup>3</sup> For more Kaiser Health Tracking poll information and data, see <<http://www.kff.org/kaiser-polls/trackingpoll.cfm>>.



<sup>4</sup> See, for example, the March 2010 Kaiser Health Tracking poll: <<http://www.kff.org/kaiserpolls/8058.cfm>>.

<sup>5</sup> Kaiser Health Tracking poll, February 2009, <<http://www.kff.org/kaiserpolls/posr022509pkg.cfm>>.

<sup>6</sup> Kaiser Family Foundation/Harvard School of Public Health *The Public's Health Care Agenda for the New President and Congress* (December 4-14, 2008). <<http://www.kff.org/kaiserpolls/7853.cfm>>.

<sup>7</sup> The 20 percent figure in January was a bit of an outlier, and seemed to result from a significant uptick in the “won’t make much difference” response. At the time we attributed this to a field house effect, as the January survey was the only one this year conducted using a different field house (Social Science Research Solutions) than our standard tracking surveys (Princeton Survey Research Associates International). Subsequent months suggest that although it may in part have been a field house effect, it also reflected some real change in opinion.

<sup>8</sup> Kaiser Family Foundation/Harvard School of Public Health *The Public's Health Care Agenda for the 112th Congress* (January 4-14, 2011) <<http://www.kff.org/kaiserpolls/8134.cfm>>.

<sup>9</sup> Lower-income household defined here as a household with 2010 income under \$40,000.

<sup>10</sup> For a picture of opinion in the year leading to passage, see “Public Opinion on Health Care Reform through the Prism of Obama’s 2009-2010 Reform Effort” by Deane, Brodie et al. in *American Public Opinion and Health Care*, ed. Robert Blendon, Mollyann Brodie, John Benson, and Drew Altman (Washington, D.C.: CQ, 2011).

<sup>11</sup> See for example John Zaller, *The Nature and Origins of Mass Opinion* (Cambridge University Press, 2006).