

**The Health Care Law and the Supreme Court**

June 10-14, 2015

- For the first time in CBS News/New York Times polling, more Americans now approve (47%) than disapprove (44%) of the 2010 health care law, but by a slim margin.
- 70% of Americans think the Supreme Court should rule to continue the government financial assistance that helps low and moderate income people buy health insurance.
- Generally, Americans split on the overall job performance of the Supreme Court. Although, a majority (75%) thinks the justices sometimes let their personal or political views influence their decisions.

**The Health Care Law**

As the U.S. Supreme Court prepares to issue a ruling that could impact the Affordable Care Act, 47% of Americans now approve of the health care law, the highest in CBS News and New York Times polling (although support is still short of a majority). For the first time, more Americans now approve than disapprove of the ACA, but by a narrow margin.

**Views of the Health Care Law**

	Now	5/2015	2/2015	3/2014	11/2013	3/2010
Approve	47%	43%	44%	41%	31%	32%
Disapprove	44	52	52	53	61	53

Most Republicans (72%) continue to oppose the law, while most Democrats (70%) support it. Independents are split.

Still, few Americans (just 9%) think the health care law is working well and should be kept as it is, and 31% want the law repealed entirely. Most – 55% - think that there are some good things in the law, though changes are needed to make it work better.

More than half of Republicans would like to see the entire law repealed.

**What Should Happen to the Health Care Law?**

	Total	Reps	Dems	Inds
Working well, keep as is	9%	2%	15%	8%
Good things, but changes needed	55	37	65	55
Needs to be repealed entirely	31	55	13	31

One part of the law that a majority would like kept in place is the subsidies to help low and moderate income people buy health insurance. Seven in 10 think the U.S. Supreme Court should rule to continue this financial assistance. Half of Republicans, however, disagree.

**Should Supreme Court Allow Financial Assistance to Buy Health Insurance?**

	Total	Reps	Dems	Inds
Yes, should allow	70%	41%	88%	70%
No, should not allow	22	50	6	20

If the Supreme Court decides it is not legal under the ACA for the government to provide financial assistance to help some low and moderate income people get health insurance, a majority of Americans think Congress should pass a law to allow those subsidies.

**If Supreme Court Rules Against Subsidies, Should Congress Pass a Law Allowing Them?**

	Total	Reps	Dems	Inds
Yes	64%	45%	79%	62%
No	29	47	15	29

**Views of the U.S. Supreme Court**

With the U.S. Supreme Court expected to issue rulings in high profile cases before its term ends, Americans are divided in their overall evaluations of the court: 41% approve of how the court is doing its job, while 40% disapprove. Views differ little from two years ago, and assessments are similar across party lines.

**U.S. Supreme Court Job Rating**

	Total	Reps	Dems	Inds	6/2013
Approve	41%	42%	39%	42%	44%
Disapprove	40	42	42	39	40
Don't know	19	16	19	19	16

However, there are partisan differences when asked about the ideology of the current Supreme Court. Republicans are inclined to think the court is too liberal (47%), while 36% of Democrats perceive it as too conservative. Among Americans overall, about a third thinks the Supreme Court's ideology is about right.

**Ideology of U.S. Supreme Court**

	Total	Reps	Dems	Inds
Too liberal	27%	47%	13%	26%
Too conservative	22	9	36	19
About right	35	32	34	38
Don't know	16	12	17	17

Most Americans think the Supreme Court justices' own views do play a role in their legal decisions. 75% of Americans, including majorities across the political spectrum, say the justices sometimes base their decisions on their own personal or political views, while just 16% believe they decide cases based solely on legal analysis.

**Supreme Court Justices Decide their Cases...**

	Total	Reps	Dems	Inds
Based only on legal analysis	16%	20%	16%	14%
Sometimes influenced by own views	75	74	72	77

Just over half of Americans prefer the Supreme Court base their decisions on legal issues alone. 52% think the U.S. Supreme Court should only consider the legal issues involved when deciding a case; while 40% say the court should also consider what the majority of the public thinks on the subject.

The percentage of Americans who say the justices should rely only on legal issues has increased over the years.

**When the Supreme Court Decides a Case, it Should Consider...**

	Now	3/2013	7/2005	9/1987
Only legal issues	52%	46%	49%	32%
Public opinion	40	45	42	60

Democrats and independents are more likely than Republicans to think public opinion should be given some weight in the Supreme Court’s decisions.

**When the Supreme Court Decides a Case, it Should Consider...**

	Total	Reps	Dems	Inds
Only legal issues	52%	61%	49%	49%
Public opinion	40	31	44	42

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This poll was conducted by telephone June 10-14, 2015 among a random sample of 1,007 adults nationwide. Data collection was conducted on behalf of CBS News and The New York Times by SSRS of Media, PA. Phone numbers were dialed from samples of both standard land-line and cell phones. The error due to sampling for results based on the entire sample could be plus or minus three percentage points. The error for subgroups may be higher. Interviews were conducted in English and Spanish. This poll release conforms to the Standards of Disclosure of the National Council on Public Polls.

**CBS NEWS/NEW YORK TIMES POLL**  
**Health Care Law and the Supreme Court**  
**June 10-14, 2015**

CB-01. Do you approve or disapprove of the way the Supreme Court is handling its job?

	TOTAL RESPONDENTS				May13b
	Total	Rep	Dem	Ind.	
	%	%	%	%	%
Approve	41	42	39	42	44
Disapprove	40	42	42	39	40
Don't know/No answer	19	16	19	19	16

CB-02. In general, do you think the current Supreme Court is too liberal, too conservative, or just about right?

Too liberal	27	47	13	26
Too conservative	22	9	36	19
About right	35	32	34	38
Don't know/No answer	16	12	17	17

CB-03. In general, do you think the current U.S. Supreme Court Justices decide their cases based on legal analysis without regard to their own personal or political views, or do you think they sometimes let their own personal or political views influence their decisions?

Legal analysis	16	20	16	14	20
Personal/political views	75	74	72	77	68
Some do/Depends (Vol.)	2	2	5	1	3
Don't know/No answer	7	4	8	8	9

CB-04. When the Supreme Court decides an important constitutional case, should it only consider the legal issues, or should it also consider what the majority of the public thinks about that subject?

					Mar13b
Legal issues	52	61	49	49	46
Public opinion	40	31	44	42	45
Depends (Vol.)	3	4	2	3	5
Don't know/No answer	5	4	5	6	4

CB-05-CB10 for future release.

CB-11. From what you've heard or read, do you approve or disapprove of the health care law that was enacted in 2010?

	TOTAL RESPONDENTS				Apr15d
	Total	Rep	Dem	Ind.	
	%	%	%	%	%
Strongly approve	24	6	43	20	20
Somewhat approve	23	15	27	24	23
Somewhat disapprove	14	14	10	16	14
Strongly disapprove	30	58	12	29	38
Don't know/No answer	9	6	8	11	6

CB-12. Which comes closest to your view about the 2010 health care law?

					Feb15b
	Total	Rep	Dem	Ind.	
The law is working well and should be kept in place as is.	9	2	15	8	6
There are some good things in the law, but some changes are needed to make it work better.	55	37	65	55	60
The law has so much wrong with it that it needs to be repealed entirely.	31	55	13	31	32
Don't know/No answer	6	5	6	6	2

CB-13. The U.S. Supreme Court is deciding a case about the 2010 health care law that will determine whether the government can continue to provide financial assistance to help some low and moderate income Americans buy health insurance. Do you think the court should or should not allow this financial assistance to continue?

Should allow	70	41	88	70
Should not allow	22	50	6	20
Don't know/No answer	8	9	5	10

CB-14. If the U.S. Supreme Court rules it is not legal to provide financial assistance to help some low and moderate income people buy health insurance, do you think Congress should pass a law that would allow this, or should Congress not address the issue?

Should pass a law	64	45	79	62
Should not address	29	47	15	29
Don't know/No answer	8	8	6	9

	<u>Unweighted</u>	<u>Weighted</u>
Total Respondents	1007	
Republicans	229	220
Democrats	310	310
Independents	468	477