

Stand up for the facts!

Our only agenda is to publish the truth so you can be an informed participant in democracy.

We need your help.

[More Info](#)

I would like to contribute

20

\$

Monthly



[Join Now!](#)



Barack Obama

stated on November 4, 2013 in a speech to Organizing for Action:

“What we said was, you can keep (your plan) if it hasn’t changed since the law passed.”





HEALTH CARE

NATIONAL

 BARACK OBAMA



By [Louis Jacobson](#)

November 6, 2013

Barack Obama says that what he'd said was you could keep your plan 'if it hasn't changed since the law passed'

President Barack Obama's attempt at explanation has only fanned the flames of controversy over his campaign line, "If you like your health care, you can keep it."

Obama was already dealing with a troubled rollout of the [healthcare.gov](#) website when reports of health insurance cancellation notices for many Americans started arriving.

Such notices have been common only for people purchasing insurance on the individual market, which accounts for about 5 percent of Americans, a small minority. But the existence of people in that situation struck many critics as contradicting his like-it, keep-it promise on its face.

Obama's speech on Nov. 4, 2013, at a meeting of Organizing for Action, his campaign organization, seemed to offer a new, and confusing, wrinkle.

"Now, if you have or had one of these plans before the Affordable Care Act came into law and you really liked that plan, what we said was you can keep it if it hasn't changed since the law passed," Obama said.

The way we read that comment — and, judging by the contentious White House press briefing the following day, the way other Washington journalists read it — was that Obama was saying that people had been misreporting the pledge he had made.

It wasn't that he said "if you like your plan, you can keep it" — it was "if your plan hasn't changed since the law passed," you can keep it.

We wondered whether there was any evidence that Obama had used this particular caveat in the past.

Some background on "grandfathering"

First, a brief reminder of why some Americans are getting cancellation notices.

Under the new law, policies must cover a comprehensive set of benefits, including emergency care, maternity care, mental health or prescription drugs. If they don't, they can be "grandfathered" in, but only if the plans have not been changed at all.

To be grandfathered, the plans must have operated continuously since

before the law's enactment in 2010 and have made no significant changes. This means the insurer can keep the insurance plan essentially as is, without having to implement many (though not all) of the new law's requirements.

But the regulations defining what constitutes a significant change are tight — and if it's breached, the plan is on the road to oblivion. The Health Insurance Portability and Accountability Act of 1996, known as HIPAA, says that if an insurer wants to end a policy, [it needs to give policy holders 90 days notice](#), as well as information about alternative coverage plans that insurer is offering.

That's essentially the message that many individual-market policyholders are receiving in the mail.

We should note that Obama's comments often were aimed at the general public. And most people do get to keep their health plans under his law, especially those who get insurance through work or Medicare. His plan specifically left the existing health care system in place while reducing the ranks of the uninsured.

Here at PolitiFact, we noticed last year that Obama's comments were [too sweeping](#) and that it was unlikely that all Americans would be able to keep their insurance through thick and thin.

Obama's comments before the law passed

We decided to look back from all the public statements we could find about people being allowed to keep their plans. We found at least times where Obama made a variation of the pledge that if you like your

plan, you can keep it. ([See all 37 mentions.](#))

Obama used the phrase 26 times between his inauguration and when the law passed. Here are four representative samples.

- [Town hall in Green Bay, Wis.](#), June 11, 2009: “No matter how we reform health care, I intend to keep this promise: If you like your doctor, you’ll be able to keep your doctor; if you like your health care plan, you’ll be able to keep your health care plan.”
- [Remarks at the American Medical Association](#), June 15, 2009: “I know that there are millions of Americans who are content with their health care coverage — they like their plan and, most importantly, they value their relationship with their doctor. They trust you. And that means that no matter how we reform health care, we will keep this promise to the American people: If you like your doctor, you will be able to keep your doctor, period. If you like your health care plan, you’ll be able to keep your health care plan, period. No one will take it away, no matter what.”
- [Presidential weekly address](#), July 18, 2009: “Michelle and I don’t want anyone telling us who our family’s doctor should be – and no one should decide that for you either. Under our proposals, if you like your doctor, you keep your doctor. If you like your current insurance, you keep that insurance. Period, end of story.”
- [Remarks in Fairfax, Va.](#), March 19, 2010: “If you like your doctor, you’re going to be able to keep your doctor. If you like your plan, keep your plan. I don’t believe we should give government or the insurance companies more control over health care in America. I think it’s time

to give you, the American people, more control over your health.”

Obama’s comments after the law was signed

We found 10 instances after the law was signed when Obama made the pledge again.

In remarks in [Portland, Maine](#), on April 1, 2010, Obama said that “if Americans like their doctor, they will keep their doctor. And if you like your insurance plan, you will keep it. No one will be able to take that away from you. It hasn’t happened yet. It won’t happen in the future.”

After the U.S. Department of Health and Human Services issued regulations for the law on June 14, 2010, HHS Secretary Kathleen Sebelius [blogged](#): “The bottom line is that under the Affordable Care Act, if you like your doctor and plan, you can keep them.”

Obama then repeated the remarks during several campaign events in 2012, as well as at the [first presidential debate in Denver](#) on Oct. 3, 2012: “If you’ve got health insurance, it doesn’t mean a government takeover. You keep your own insurance. You keep your own doctor. But it does say insurance companies can’t jerk you around.”

Finally, as recently as a few weeks ago, Obama was playing down the impact.

“Now, let’s start with the fact that even before the Affordable Care Act fully takes effect, about 85 percent of Americans already have health insurance – either through their job, or through Medicare, or

through the individual market,” he said in a [speech](#) in Largo, Md., on Sept. 26. “So if you’re one of these folks, it’s reasonable that you might worry whether health care reform is going to create changes that are a problem for you — especially when you’re bombarded with all sorts of fear-mongering. So the first thing you need to know is this: If you already have health care, you don’t have to do anything.”

Overall, we didn’t find one instance in which Obama offered a caveat that it only applies to plans that hadn’t changed after the law’s passage.

What the White House says

The day after Obama claimed that he’d said “you can keep it if it hasn’t changed since the law passed,” reporters grilled White House Press Secretary Jay Carney.

Carney claimed Obama was referring to the rules that Sebelius issued in June 2010.

“When the rule was issued, Secretary Sebelius and others spoke to the press about it ... if insurance companies changed their plans or canceled their plans, they would give up the opportunity to grandfather those plans in June of 2010. There was a fair amount of coverage of that in major newspapers.”

The White House pointed us to a June 14, 2010, telephone news conference with Sebelius on the rules.

“If you have a plan that you like, you keep it, but if indeed insurers or

employers decide to make dramatic shifts, to the detriment of employees, huge cost shifts, huge increases in deductibles, slashing benefits, whatever, they then no longer qualify for the grandfather status, because that's really a change in the plan, and that isn't a plan that most people like very much," she said.

The White House also offered several [news articles published](#) at the time that reported Sebelius' comments.

Of these, the one that offered the most critical assessment of the grandfather provisions, in the [Washington Post](#), got most of its ammunition from Republicans, quoting Senate Majority Leader Mitch McConnell, R-Ky., saying on the Senate floor, "This is not only bad news for the vast majority of Americans who like the plans they have. It also flatly contradicts the president's repeated promises."

By contrast, what Sebelius told the *Post* focused on the positive rather than the negative aspects of the change. She said Obama "wanted to make sure as much as possible that if people had plans that they liked they got to keep them and balance that with, you know, some overall protection for consumers," the *Post* reported.

Finally, the White House provided a series of other comments in which the administration offered a more nuanced formulation of the like-it, keep-it policy, but they were all in the past month, during the time when such criticism was already emerging.

Our ruling

According to Obama, "What we said was you can keep (your plan)" 11 11

hasn't changed since the law passed.”

But we found at least [37 times](#) since Obama's inauguration where he or a top administration official made a variation of the pledge that if you like your plan, you can keep it, and we never found an instance in which he offered the caveat that it only applies to plans that hadn't changed after the law's passage. And seven of those 37 cases came after the release of the HHS regulations that defined the “grandfathering” process, when the impact would be clear.

While Sebelius' teleconference with reporters did provide that sort of caveat, in other instances, such as her blog post, she focused on the upside, not the downside. Her one mention of the extent to which grandfathered plans might be doomed strikes us as the equivalent of the fine print on a television commercial running in heavy rotation. Obama is ignoring the overwhelming majority of times he addressed the issue, where most people would have heard it. We rate his claim **Pants on Fire**.

Our Sources

Barack Obama, [speech to Organizing for Action](#), Nov. 4, 2013

Jay Carney, [White House Press Briefing](#), Nov. 5, 2013

Links to documentation of the 37 examples are provided in the story

Kathleen Sebelius and Hilda Solis, news teleconference on health insurance, June 2010 (via Nexis)

New York Times, "[New Rules on Changes to Benefits](#)," June 14, 2010

Washington Post, "[New health-care rules could add costs, and benefits, to some insurance plans](#)," June 15, 2010

USA Today, "[Seeking clarity on 'grandfathered' health plans](#)," Sept. 23, 2010

PJ Media, "[Here Are Four Times, During the 2012 Election Year, When Obama Promised that If You Like Your Healthcare, You Can Keep It](#)," Oct. 29, 2013

Daily Caller, "[Obama denies 'you can keep it' videotaped promises](#)," Nov. 5, 2013

Mediaite, "[Obama: 'What We Said Was, You Could Keep' Your Health Care Plan, If...](#)," Nov. 4, 2013

Huffington Post, "[What Obama Really Meant When He Said 'If You Like Your Plan, You Can Keep It'](#)," Oct. 30, 2013

PolitiFact, "[Valerie Jarrett says 'nothing in Obamacare forces people out of their health plans'](#)," Oct. 30, 2013

READ ABOUT OUR PROCESS

[The Principles of the Truth-O-Meter](#)



Browse the Truth-O-Meter