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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH SESSION

HOUSE FILE NO. 3692

March 17, 2010
Authored by Emmer, Buesgens, Hackbarth and Drazkowski
The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight

A resolution

memorializing the Minnesota congressional delegation to vote against the federal health care reform bill.

WHEREAS, H.R. 3590, the Patient Protection and Affordable Care Act, will soon be acted on in the United States Congress; and

WHEREAS, the bill as currently constituted is flawed in a number of troubling ways; and

WHEREAS, its flaws include (1) an unconstitutional individual mandate, (2) an unconstitutional capitation tax, and (3) definitions of health coverage by the members of a panel who are not accountable to voters and who are free to promote their own agendas; and

WHEREAS, by putting an inflexible ceiling on what insurers may spend on medical costs and how much they can charge on premiums, without any limit on their costs, the bill opens the door to the complete elimination of people's ability to choose private health plans; and

WHEREAS, the Community Living Assistance Services and Supports (CLASS) Program, an amendment to the federal Public Health Service Act intended to help individuals with functional impairments to pay for services and supports, is incorporated into H.R. 3590; and

WHEREAS, while the CLASS Act appears to bring in $58 billion in tax revenues by 2019, in fact the mechanics of the program's funding assure its eventual collapse; and

WHEREAS, the American Academy of Actuaries has concluded that the program's premiums are far too low to cover the expected claims because those who are likely to enroll are likely to need services; and

WHEREAS, both the AAA and the Congressional Budget Office project that the program's projections are very uncertain past the 2019 cutoff and that program costs would eventually add to, and not reduce, the deficit; NOW, THEREFORE,

BE IT RESOLVED by the Legislature of the State of Minnesota that it urges Minnesota's congressional delegation to vote against H.R. 3590, the Patient Protection and Affordable Care Act.

BE IT FURTHER RESOLVED that the Legislature urges Minnesota's Attorney General to maintain legal action to protect the interests and constitutional rights of Minnesota's citizens with regard to health care insurance.

BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the President of the United States, the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, Minnesota's Senators and Representatives in Congress, and the Attorney General of Minnesota.