

RSC Info Alert: States Fight Back!

Thought you might be interested...

In addition to [27 states](#) that have already taken legislative steps to combat the Congressional Democrats' health care bills, and the [13 state Attorney Generals](#) who joined together to fight the constitutionality of issues such as the [Nebraska](#) "Cornhusker Kickback" on Medicaid payments, states are also preparing to take legal action against the federal government if certain controversial provisions are enacted into law.

States that have introduced or passed formal resolutions or legislation aimed at blocking the Federal health care reforms:

- **Alabama**
- **Arizona**
- **Florida**
- **Georgia**
- **Indiana**
- **Michigan**
- **Minnesota**
- **Missouri**
- **New Mexico**
- **North Dakota**
- **Ohio**
- **Pennsylvania**
- **South Carolina**
- **Utah**
- **West Virginia**
- **Wyoming**

States that have expressed interest or steps towards a constitutional amendment or statute:

- **Alaska**
- **Colorado**
- **Kansas**
- **Louisiana**
- **Mississippi**
- **Montana** (next regular session in 2011)
- **New Hampshire**
- **Oklahoma**
- **Texas** (next regular session in 2011)
- **Utah**
- **Wisconsin**

For a recent example of what states are doing to combat the government takeover of health care (such as the unfunded mandates and individual mandate), please see this Florida release below:

Florida State Representatives Scott Plakon and Steve Precourt Ask State Attorney General McCollum to Ensure Floridians Protected in Federal Healthcare Legislation

Orlando, FL -- State Representatives Scott Plakon (R - Longwood) and Steve Precourt (R - Windermere) asked Florida State Attorney General Bill McCollum this afternoon to investigate and to prepare to take appropriate legal action against the federal government in the event the controversial federal healthcare takeover legislation passes into law.

The legislators requested this action in order to pursue relief for Floridians from the unfunded mandates contained in the bill should Florida be forced to comply with the expansion of the federal Medicaid program and to seek relief from the individual mandates proposed which could ultimately result in large fines and/or prison sentences for Floridians based on their good faith healthcare choices.

The Representatives noted that under the bills, Florida would be forced to radically expand the state's Medicaid program costing the citizens of the state billions of dollars. Floridians would be forced to pay for people permanently exempted from paying the costs, such as in the case of the infamous sweetheart "Cornhusker Kickback" where Nebraska Senator Nelson voted for cloture with the promise that his state could be exempt from Medicaid expansion while Floridians would still pay.

"Such an expansion would place a horrendous burden on the citizens of this state, requiring huge tax increases and/or cuts in critical priorities such as education and public safety," stated Representative Precourt. "It is also clear by the wording of the legislation that not every state would benefit equally nor face a similar burden. Floridians deserve to be treated fairly under any plan put into law."

In addition, the Representatives expressed concern over the constitutionality of the unprecedented individual mandates proposed. Under the proposed legislation, the newly created "Health Choices Commissioner" would use the Internal Revenue Service as its enforcement agent to make sure that Floridians purchase an approved policy from a federally approved entity or pay penalties for not doing so. Failure to do so could result in Floridians being subjected in fines of up to \$250,000 and/or prison sentences of up to 5 years.

A major issue for all 50 states is that the states are not controlling how these programs are run, but ultimately must find a way to fund them.

"We can't print money like they do in Washington and it's important to make sure that our citizens are protected," stated Precourt.

“Obviously the overwhelming fiscal impact on the states that are already struggling with their budgets is something that the Democrats in control of the levers of power in Washington just don’t seem to care about,” stated Plakon.

Plakon and Precourt noted that since the potential passage of the Senate Bill appears imminent, it’s important that the Attorney General prepare to take immediate action.

“Collectively, we see these actions as a brazen attack by the federal government on our civil rights, our sovereignty, our individual freedom and the Constitution of the United States,” Plakon added.

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