



**Legislative Bulletin.....August 1, 2013**

**H.R. 2009 – Keep the IRS Off Your Health Care Act of 2013  
(Rep. Tom Price, R-GA)**

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**Order of Business:** The bill is scheduled to be considered on Friday, August 2, subject to a closed rule ([H. Res. 322](#)). While the rule does not make any amendments in order, it does allow for one motion to recommit.

**Summary:** The bill prohibits the IRS from implementing or enforcing any provision of or amendments made by [Public Law 111-148](#) (the Affordable Care Act, or Obamacare) or [Public Law 111-152](#) (the Health Care and Education Reconciliation Act of 2010).

While this would not impact the ACA’s massive expansion of Medicaid, the bill would cut off funding streams (taxes) and hamstring implementation of the ACA health care exchanges, in which participation is subsidized through tax credits. The bill would also permanently prevent implementation of the employer mandate and the individual mandate. The bill would also block IRS access to sensitive personal health care information to be collected in the Federal Data Services Hub. For these and other activities, the Wall Street Journal [reports](#) that the IRS has requested 1,954 full-time equivalent employees to carry out implementation of the ACA.

Through its political [targeting of American citizens](#) to scandals involving the misuse of taxpayer dollars at [lavish conferences](#), the IRS has shown itself incapable of carrying out what IRS’s Taxpayer Advocate [called](#), “the most extensive social benefit program the IRS has been asked to implement in recent history.”

**Committee Action:** The bill was referred to the Ways and Means Committee, which took no further action.

**Administration Position:** At press time, no Statement of Administration Policy was available.

**Cost to Taxpayers:** CBO has not completed a full score of the bill, but anticipates that the bill would significantly reduce both revenue and direct spending. To read the CBO analysis, click [here](#).

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10<sup>th</sup> Amendment?:** No.

**Does the Bill Delegate Any Legislative Authority to the Executive Branch?:** No.

**What Is the Constitutional Authority for the Legislation?:** From the author, Rep. Tom Price (R-GA): Consistent with the original understanding of the commerce clause [*sic*], the authority to enact this legislation is found in Clause 3 of Section 8, Article I of the Constitution. The bill stops the IRS implementation of the Patient Protection and Affordable Care Act, which exceeds the authority vested in Congress by the Constitution. Finally, the bill removes government intrusion into the doctor-patient relationship, which is protected by the Nine [*sic*] and Tenth Amendments to the Constitution.

**Outside Organizations:**

Americans for Tax Reform issued a letter of [support](#).

National Taxpayers Union issued a positive vote [alert](#).

FreedomWorks has issued a positive vote [alert](#).

Americans for Prosperity issued a letter of [support](#).

A coalition of 22 conservative groups has written a letter of [support](#).

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