

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 7

BY WAYS AND MEANS COMMITTEE

A JOINT MEMORIAL

1  
2 TO THE PRESIDENT OF THE UNITED STATES, TO THE SECRETARY OF HEALTH AND HUMAN  
3 SERVICES, TO THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED  
4 STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING  
5 THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, TO THE  
6 GOVERNOR OF THE STATE OF IDAHO AND TO THE DIRECTOR OF THE IDAHO DEPARTMENT  
7 OF INSURANCE.

8 We, your Memorialists, the House of Representatives and the Senate of  
9 the State of Idaho assembled in the First Regular Session of the Sixty-fourth  
10 Idaho Legislature, do hereby respectfully represent that:

11 WHEREAS, the Sixtieth Idaho Legislature passed Senate Joint Memorial  
12 106, sponsored by the office of Governor C.L. "Butch" Otter, calling for an  
13 amendment to the U.S. Constitution that would prevent Congress from passing  
14 laws requiring citizens of the United States to participate in any health  
15 care insurance program or penalizing them for declining health care coverage;  
16 and

17 WHEREAS, the Idaho Health Freedom Act codifies as state policy that every  
18 person in the State of Idaho is and shall be free from government compulsion  
19 in the selection of health insurance options, and that such liberty is  
20 protected by the constitutions of the United States and the State of Idaho;  
21 and

22 WHEREAS, the average Idaho rate increase for 2017 individual Affordable  
23 Care Act (ACA) health insurance plans was 24% and, with the year-over-year  
24 increases since the implementation of the ACA federal mandates, health insurance  
25 plans have become unaffordable for thousands of Idahoans and their  
26 families; and

27 WHEREAS, nearly 90,000 Idahoans can afford coverage only with the  
28 assistance of an ACA premium assistance tax credit or other subsidy, and  
29 Idaho's uninsured includes "middle class" individuals and families who earn  
30 too much to qualify for federal insurance premium assistance and have no  
31 coverage option other than high-cost ACA plans; and

32 WHEREAS, the premium amounts for pre-ACA individual transitional  
33 "grandmothered" plans were 30% to 50% less than those of the individual ACA  
34 plans, indicating that a return to state regulation of the individual insurance  
35 market would result in significantly lower premium amounts for many  
36 Idahoans; and

37 WHEREAS, prior to implementation of the ACA, the State of Idaho primarily  
38 regulated the Idaho health insurance market and provided aggressive oversight  
39 of all aspects of that market and enforced consumer protections as well as  
40 ensured a local, responsive regulation for consumers; and

41 WHEREAS, prior to the implementation of the ACA-mandated plans, Idaho  
42 had a stable and competitive individual insurance market, with among the  
43 lowest individual premium amounts in the nation, and consumers could choose

1 from a variety of health insurance coverage options to best cover them and  
2 their families; and

3 WHEREAS, on January 20, 2017, President Donald J. Trump signed an ex-  
4 ecutive order to minimize the economic burden of the ACA pending repeal,  
5 including instruction to the Secretary of Health and Human Services and to  
6 the heads of all other executive departments and agencies with authorities  
7 and responsibilities under the act to exercise all authority and discretion  
8 available to them to provide greater flexibility to states and to cooperate  
9 with them in implementing health care programs.

10 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-  
11 sion of the Sixty-fourth Idaho Legislature, the House of Representatives and  
12 the Senate concurring therein, that the Idaho Legislature urges President  
13 Trump, Secretary Price and Congress to take the following action: Allow in-  
14 dividual states to once again serve as the primary regulator of health insur-  
15 ance plans and immediately permit the free market availability and sale of  
16 nonsubsidized health insurance plans in accordance with state-established  
17 statutes, regulations and rules governing such plans; and

18 BE IT FURTHER RESOLVED that the Idaho Department of Insurance issue  
19 guidance allowing for competitive, innovative, nonsubsidized health in-  
20 surance plans, along with the free market sale of health insurance plans to  
21 Idahoans who choose to purchase them, in accordance with state-established  
22 statutes, regulations and rules governing such plans; and

23 BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-  
24 tives be, and she is hereby authorized and directed to forward a copy of this  
25 Memorial to the President of the United States, the Secretary of Health and  
26 Human Services, the President of the Senate and the Speaker of the House of  
27 Representatives of Congress, and the congressional delegation representing  
28 the State of Idaho in the Congress of the United States, as well as to Gover-  
29 nor C.L. "Butch" Otter and Director Dean Cameron of the Idaho Department of  
30 Insurance.