
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 101 Session of
2019

INTRODUCED BY DeLUCA, ISAACSON, READSHAW, HARKINS, KORTZ,
STURLA, PASHINSKI, WARREN, CALTAGIRONE, FREEMAN, HILL-EVANS,
CIRESI AND McCLINTON, FEBRUARY 25, 2019

REFERRED TO COMMITTEE ON INSURANCE, FEBRUARY 25, 2019

A RESOLUTION

1 Strongly urging the Congress of the United States to retain
2 certain consumer protections if the Patient Protection and
3 Affordable Care Act is ruled unconstitutional.

4 WHEREAS, In 2010, the Patient Protection and Affordable Care
5 Act (ACA) was signed into law; and

6 WHEREAS, The ACA created mechanisms that offer tax subsidies
7 to individuals to purchase health insurance on a market
8 exchange; and

9 WHEREAS, The ACA has assisted millions of individuals in
10 obtaining health insurance nationwide, including more than
11 366,000 Pennsylvanians; and

12 WHEREAS, Through the expansion of Medicaid, an additional 17
13 million individuals have gained access to health insurance
14 nationwide, including approximately 800,000 Pennsylvanians; and

15 WHEREAS, Since the ACA was passed, Pennsylvania's uninsured
16 rate has fallen 37%; and

17 WHEREAS, The ACA provides other protections, most
18 importantly, guaranteeing issuance of insurance regardless of

1 preexisting conditions, permitting children up to 26 years of
2 age to remain on their parent's insurance, prohibiting annual
3 and lifetime limits on the payment of benefits and mandating
4 that insurance companies cover ancillary costs of clinical trial
5 participants; and

6 WHEREAS, Prior to the passage of the ACA, individuals with
7 serious or chronic illnesses and pregnant women could be charged
8 a higher premium for insurance coverage or could be denied
9 insurance coverage because they were considered to have a
10 preexisting condition; and

11 WHEREAS, The ACA prohibits insurers from denying coverage to
12 individuals with a preexisting condition; and

13 WHEREAS, If the ACA is ruled unconstitutional, approximately
14 52 million Americans, including approximately 3 million
15 Pennsylvanians, could lose insurance coverage; and

16 WHEREAS, Prior to the passage of the ACA, it is estimated
17 that approximately 10% of cancer patients reached either their
18 annual or lifetime maximum limit on the amount of medical
19 benefits their health insurance paid; and

20 WHEREAS, Annual or lifetime maximum limits on the amount of
21 medical benefits health insurance pays often lead to individuals
22 being unable to effectively manage their chronic diseases or
23 being unable to receive necessary care; and

24 WHEREAS, The ACA eliminates annual and lifetime limits on the
25 amount of medical benefits health insurance pays; and

26 WHEREAS, Since the passage of the ACA, 100 million Americans,
27 including approximately 4.5 million Pennsylvanians, have no
28 annual or lifetime maximum on their health insurance policies;
29 and

30 WHEREAS, If the ACA is ruled unconstitutional, individuals

1 with chronic illnesses and pregnant women may once again be
2 subjected to the annual and lifetime limits on the amount of
3 medical benefits their health insurance pays; and

4 WHEREAS, Young adults have the highest uninsured rate of any
5 age group at 30%; and

6 WHEREAS, Young adults have the lowest rate of access to
7 employer-based health insurance; and

8 WHEREAS, One in six young adults have a serious or chronic
9 illness, such as cancer or diabetes; and

10 WHEREAS, The ACA permits young adults to remain on their
11 parent's health insurance until they reach 26 years of age; and

12 WHEREAS, If the ACA is ruled unconstitutional, it is
13 estimated that 6 million young adults in the nation, including
14 89,000 young adults in this Commonwealth, are at risk of
15 becoming uninsured; and

16 WHEREAS, Prior to the passage of the ACA, individuals seeking
17 care by means of a clinical trial were responsible for paying
18 out of pocket for ancillary costs associated with the trial; and

19 WHEREAS, These costs could include CAT scans, blood work, X-
20 Rays, MRIs and other expensive tests and procedures; and

21 WHEREAS, Costs associated with these tests and procedures are
22 estimated at \$30,000 or more; and

23 WHEREAS, The ACA ensures that any qualified individual
24 participating in a clinical trial will not have their benefits
25 limited or denied in respect to routine costs associated with
26 participation in a clinical trial; and

27 WHEREAS, If these important protections are ruled
28 unconstitutional, millions of Pennsylvanians, including the most
29 vulnerable members of our society, will be adversely affected;
30 therefore be it

1 RESOLVED, That the House of Representatives of the
2 Commonwealth of Pennsylvania strongly urge the Congress of the
3 United States to retain certain consumer protections mentioned
4 in this resolution if the Patient Protection and Affordable Care
5 Act is ruled unconstitutional; and be it further

6 RESOLVED, That copies of this resolution be sent to the
7 President of the United States, the presiding officers of each
8 House of Congress and each member of Congress from Pennsylvania.