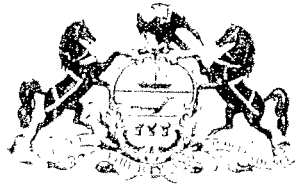


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*House of Representatives*  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

## MEMORANDUM

CHAIRMAN, HEALTH & HUMAN  
SERVICES COMMITTEE

POLICY COMMITTEE

CAUCUSES  
FIREFIGHTERS & EMERGENCY SERVICES  
LOCAL TAX REFORM  
RURAL HEALTH CARE  
SPORTSMEN  
TIMBER

APPOINTMENTS  
STATE SYSTEM OF HIGHER EDUCATION  
BOARD OF GOVERNORS  
PA HEALTH CARE COST CONTAINMENT  
COUNCIL ACT - REVIEW COMMITTEE  
CAPITOL PRESERVATION COMMITTEE

TO: ALL HOUSE MEMBERS

FROM: MATT BAKER, CHAIRMAN  
HEALTH & HUMAN SERVICES COMMITTEE

DATE: DECEMBER 13, 2010

RE: HEALTHCARE FREEDOM ACT (PRIOR HB 2053)

Upon return to session, I will be re-introducing legislation to establish the Health Care Freedom Act. This legislation will preserve the freedom of Pennsylvanians to provide for their health care and asserts that any rule or law shall not: directly or indirectly compel any person or employer to participate in any health care system, impose fines or penalties on the direct purchase or provision of health care services, or prohibit the purchase or sale of private health insurance. According to ALEC (American Legislative Exchange Council) 42 other states have introduced this initiative.

The Health Care Freedom Act further prohibits any Commonwealth agency or department from participating in the compliance with any Federal law, regulation, or policy that would compromise the freedom in health care of any resident of this Commonwealth.

The Tenth Amendment to the United States Constitution states that, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people". The federal government should regulate health plans only where they are given authority under the Employee Retirement Income Security Act (ERISA) and allow the states to continue to regulate all other plans within their borders, with their existing regulatory expertise, and without federal intervention.

Our state-based system of regulation of health insurance has served all interests well. I hope you will join me in co-sponsoring this important legislation that will protect our Commonwealth's rights to regulate health care, the health insurance market, to provide oversight and enforcement of consumer protection and to ensure a local, responsive presence for all of Pennsylvania's health care consumers.

If you would like to cosponsor this legislation, please contact Gina Strine in my office at 772-5769 or via email at [Gstrine@pahousegop.com](mailto:Gstrine@pahousegop.com).

Previous cosponsors: Baker, Cutler, Watson, Clymer, Barrar, Benninghoff, Boyd, Causer, Creighton, Everett, Gabler, Geist, Gingrich, Grell, Grove, Hess, Hutchinson, Kauffman, M.Keller, Krieger, Maher, Major, Marshall, Metcalfe, Metzger, Miller, Moul, Murt, Pickett, Quinn, Rapp, Rock, Rohrer, Saylor, Stern, Stevenson, Swanger, Tallman, True, Schroder, Cox, Christiana, Brooks, Knowles, Reichley, J.Evans, Vulakovich, Roae, Killion Reese, Fllie