

Senate Resolution 595

By: Senators Albers of the 56th, Ligon, Jr. of the 3rd, Hill of the 32nd, Mullis of the 53rd,
Beach of the 21st and others

A RESOLUTION

1 Encouraging the United States to return healthcare decision-making power back to the State
2 of Georgia and its citizens; and for other purposes.

3 WHEREAS, citizens of the State of Georgia need access to quality, affordable health
4 coverage, but the federal Patient Protection and Affordable Care Act (PPACA) has not
5 delivered on those promises; and

6 WHEREAS, PPACA has caused rising health insurance premiums, cancelled health plans,
7 and narrowing networks of quality doctors, and will still leave 30 million Americans
8 uninsured even when fully implemented; and

9 WHEREAS, most individuals purchasing coverage on a PPACA health insurance exchange
10 are paying much higher premiums than before PPACA was enacted; and

11 WHEREAS, the United States Supreme Court will soon rule on *King v. Burwell*, challenging
12 the Internal Revenue Service (IRS) rule allowing PPACA premium subsidies for individuals
13 enrolled in federal exchanges; and

14 WHEREAS, Section 1401 of PPACA authorizes premium subsidies only to individuals who
15 enroll in coverage "through an Exchange established by the State"; and

16 WHEREAS, in May, 2012, the IRS issued a final rule authorizing PPACA premium
17 subsidies to individuals enrolled in federal exchanges, ignoring statutory authority and the
18 plain text of PPACA; and

19 WHEREAS, PPACA gives states the choice to establish a state-based exchange and receive
20 PPACA subsidies, or opt-out and protect hardworking citizens from PPACA's mandates and
21 penalties, which are triggered when those premium subsidies are made available to, or are
22 claimed by, individuals enrolled in federal exchanges; and

23 WHEREAS, thirty-four states, including the State of Georgia, declined to set up a state-based
24 exchange; and

25 WHEREAS, a ruling in favor of the plaintiffs in *King v. Burwell* would effectively block
26 PPACA's employer mandate in Georgia, as mandate penalties only apply when employers
27 with more than 50 workers fail to offer PPACA-compliant coverage and an employee
28 becomes eligible for a PPACA premium subsidy; and

29 WHEREAS, the plaintiffs in *King v. Burwell* represent the millions of Americans harmed by
30 PPACA, including those who lost their health plans, doctors, or jobs, and those whom the
31 law forces to pay higher insurance premiums and taxes; and

32 WHEREAS, regardless of the outcome in *King v. Burwell*, lawmakers on both sides of the
33 aisle must remedy the law's shortcomings and unintended consequences; and

34 WHEREAS, access to quality, affordable health coverage is a top priority for the State of
35 Georgia; and

36 WHEREAS, if the United States Supreme Court rules in favor of the plaintiffs in *King v.*
37 *Burwell*, the Georgia General Assembly will take steps to protect patients affected by the
38 decision; and

39 WHEREAS, this body will implement policies that lower costs and increase access to quality
40 health care while protecting the most vulnerable, contingent on congressional action; and
41 these policies shall include guaranteed access for patients with pre-existing conditions,
42 insurance rules that are fair to consumers and result in more affordable and customizable
43 health insurance choices, and new options for businesses looking to provide value-based,
44 wellness-focused healthcare to their employees.

45 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body
46 support efforts by the United States Congress to return healthcare decision-making power
47 back to Georgia and its citizens.

48 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
49 to make appropriate copies of this resolution available for distribution to the President of the
50 United States and the entire Georgia delegation in the United States Congress.