

1 WHEREAS, in Louisiana alone, eight thousand two hundred citizens have died
2 prematurely since 1995 and, lacking comprehensive health reform legislation, another seven
3 thousand seven hundred will lose their lives by 2019, according to estimates made by
4 Families USA; and

5 WHEREAS, many provisions of the Act will go into effect immediately or very
6 shortly and would benefit Louisiana citizens, and this suit could delay the implementation
7 of these provisions; and

8 WHEREAS, among these provisions is the first phase of a tax credit for qualified
9 small businesses, which number more than fifty thousand in Louisiana, to help provide
10 health insurance to their employees, which will go into effect for the 2010 tax year; and

11 WHEREAS, taking effect immediately upon enactment of the Act, will be a rebate
12 for Medicare recipients who face a gap in prescription drug coverage to help pay for
13 medication; and

14 WHEREAS, taking effect ninety days after enactment of the Act, will be a new
15 temporary reinsurance program to help employers who provide early retirement benefits,
16 including health care coverage, for those retirees over the age of fifty-five who are not yet
17 eligible for Medicare to offset the expensive cost of that health coverage; and

18 WHEREAS, also taking effect ninety days after enactment of the Act, will be the
19 creation of a temporary high-risk pool to provide health coverage to individuals with pre-
20 existing medical conditions who have been uninsured for at least six months; and

21 WHEREAS, taking effect six months after enactment of the Act, will be provisions
22 barring insurance companies from denying health coverage to children who have pre-
23 existing medical conditions; and

24 WHEREAS, also taking effect six months after enactment of the Act, will be
25 provisions requiring insurance companies which currently provide health coverage to
26 dependents to make that coverage available to dependent children up to age twenty-six; and

27 WHEREAS, also taking effect six months after enactment of the Act, will be
28 provisions prohibiting insurance companies from placing lifetime limits on how much they
29 pay out to individual policyholders and also prohibiting the use of restrictive annual limits;
30 and

1 WHEREAS, also taking effect six months after enactment of the Act, will be
2 provisions prohibiting insurance companies from rescinding coverage upon submission of
3 a claim or when a person gets sick except in the case of fraud; and

4 WHEREAS, also taking effect six months after enactment of the Act, will be
5 provisions eliminating copayments and deductibles for preventive health services such as
6 immunizations for children and cancer screenings for women; and

7 WHEREAS, another provision in the Act will provide a two-year temporary tax
8 credit, for qualifying investments made in 2009 and 2010, to encourage investment in new
9 therapies to prevent, diagnose, and treat acute and chronic diseases; and

10 WHEREAS, another provision in the Act will exclude from gross income, for taxable
11 years beginning after December 31, 2008, payments made under any state loan repayment
12 or loan forgiveness program that is intended to provide for the increased availability of
13 health care services in underserved or health professional shortage areas; and

14 WHEREAS, in addition to these many immediate benefits accruing from the Act are
15 many others slated for upcoming years, particularly 2014, when every United States citizen
16 will be required to obtain health care coverage; and

17 WHEREAS, implementation of the historic Patient Protection and Affordable Care
18 Act of 2010, which became Public Law No. 111-148, is crucial to Louisiana citizens and any
19 delay in its implementation would be detrimental to those same citizens.

20 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
21 direct Louisiana's attorney general to withdraw from the suit challenging H.R. 3590, the
22 Patient Protection and Affordable Care Act of 2010, on constitutional grounds.

23 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
24 state's attorney general.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Richmond

HCR No. 71

Directs La.'s attorney general to withdraw from the suit challenging H.R. 3590, the Patient Protection and Affordable Care Act of 2010, on constitutional grounds.