
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 28 Session of
2021

INTRODUCED BY DeLUCA, SANCHEZ, CONKLIN, HILL-EVANS, GALLOWAY,
FREEMAN, SCHLOSSBERG, DRISCOLL, LONGIETTI, PASHINSKI, O'MARA,
CIRESI, SCHWEYER AND WARREN, JANUARY 28, 2021

REFERRED TO COMMITTEE ON INSURANCE, JANUARY 28, 2021

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 Federal Patient Protection and
5 Affordable Care 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
10 nationwide in obtaining individual health insurance policies,
11 including more than 325,000 Pennsylvanians; and

12 WHEREAS, Through the expansion of Medicaid, 15 million
13 individuals have gained access to health insurance nationwide,
14 including approximately 765,000 Pennsylvanians; and

15 WHEREAS, Since the ACA was passed, Pennsylvania's uninsured
16 rate has fallen 44%; and

17 WHEREAS, The ACA provides many important consumer
18 protections, including guaranteeing the issuance of a health

1 insurance policy regardless of preexisting conditions,
2 permitting children up to 26 years of age to remain on their
3 parent's health insurance policy, prohibiting annual and
4 lifetime limits on the payment of health benefits, mandating
5 that insurance companies cover ancillary costs of clinical trial
6 participants and requiring certain health insurance policies to
7 cover 10 essential health benefits; and

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

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

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

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

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

26 WHEREAS, If the ACA is ruled unconstitutional, individuals
27 with chronic illnesses and pregnant women may once again be
28 subjected to the annual and lifetime limits on the dollar amount
29 of medical benefits their health insurance pays; and

30 WHEREAS, Young adults have the highest uninsured rate of any

1 age group, at 30%; and

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

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

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

8 WHEREAS, If the ACA is ruled unconstitutional, millions of
9 young adults across the nation are at risk of becoming
10 uninsured; and

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

14 WHEREAS, These costs could include CAT scans, blood work, X-
15 rays, MRIs and other expensive tests and procedures; and

16 WHEREAS, The ACA ensures that any qualified individual
17 participating in a clinical trial will not have their benefits
18 limited or denied in respect to routine costs associated with
19 participation in a clinical trial; and

20 WHEREAS, The ACA also requires certain health insurance
21 policies to cover 10 essential health benefits, including
22 ambulatory patient services, emergency services,
23 hospitalization, maternity and newborn care, mental health and
24 substance use disorders services, prescription drugs,
25 rehabilitative and habilitative services and devices, laboratory
26 services, preventive and wellness services and chronic disease
27 management and pediatric services; and

28 WHEREAS, Before the passage of the ACA, some of these
29 benefits, such as maternity care, were not included in an
30 individual's health insurance policy; and

1 WHEREAS, If these important protections are ruled
2 unconstitutional, millions of Pennsylvanians and Americans,
3 including the most vulnerable members of our society, will be
4 adversely affected; therefore be it

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

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