



North Texas Republican Women Legislative Committee Chair  
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“A government big enough to supply everything you need, is big enough to take everything you have.”  
... Thomas Jefferson

Tuesday, April 13, 2010

**Federal: [www.govtrack.us](http://www.govtrack.us)**

### **Reconciliation Act of 2010 (Health Care Bill):**

13 Attorneys General joined the Florida Attorney General Bill McCollum in a 22-page complaint filed in federal court, charging that the new healthcare reform package exceeds Congress's powers to regulate commerce, violates 10th Amendment protections of state sovereignty, and imposes an unconstitutional direct tax. Virginia filed a similar lawsuit simultaneously in federal court in Richmond. That suit is slightly different in that it focuses in part on the clash between a recently enacted state law protecting the right of Virginia residents to refuse unwanted health insurance and the new federal law that imposes penalties on anyone who seeks to defy the national government's command to purchase health insurance.

#### Fact vs. Fiction:

CBO says bill will cost about \$940 billion over first 10 years...but says bill will cut the deficit over 10 years. CBO admits that these figures do not consider many factors in the bill that would put the bill well over a trillion dollars. So where's the cash coming from? Answer: new taxes and fees combined with cuts in projected spending growth for existing government health efforts, primarily Medicare (i.e. Medicare Cuts).

Individuals making more than \$200,000 a year or married couples making more than \$250,000 a year will pay more for Medicare:

- Medicare Part A (hospital insurance) tax rate increase from 0.9 percent to 2.35 percent.
- The bill creates a new tax of 3.8 percent on unearned income (dividends, interest) for this income bracket. These take effect Jan 2010 – and raises about \$210 billion dollars between 2010 and 2019.

For those of us that already have GREAT insurance – watch out!!! This bill imposes an excise tax on insurers of employer-sponsored health plans that cost more than \$10,200 annually for individual coverage or \$27,500 annually for family coverage. This tax would be 40% of the cost of the plan that exceeds those dollar thresholds, which kicks in 2018 and brings in around \$32 billion dollars in its first two years. (Do you think your employer will be able to continue to provide you with that wonderful health care plan? ...THINK AGAIN!).

Section 2301 talks about annual and lifetime caps. In one sense it appears it has abolished annual and lifetime caps. But then there is a loophole that it 'restricts annual limits "AS DETERMINED BY THE HEALTH AND HUMAN SERVICES SECRETARY". What that says to me – is while the soundbite will be 'we abolished lifetime caps' – the reality is the HHS Secretary now determines what annual cap you get.

Government payments to Medicare Advantage – plans run by private insurers that are an alternative to traditional Medicare – would be reduced by \$132 billion over 10 years under the health care reform bill. (Those plans now get around 14 percent more per person than traditional Medicare does.)

Medicare payments for home health care would also be reduced by \$40 billion over 10 years. And cuts in certain payments to hospitals would raise another \$22 billion by 2019.

Additional taxes on the Health Industry:

- There are also taxes to drug manufacturers which total \$16 million between 2010 and 2019.
- Health insurers pay \$47 billion between 2011 and 2019.
- Medical device manufacturers pay 2.9 percent excise tax on the sale of their goods beginning Jan. 1 2013.
- The 10% tanning tax would raise \$2.7 million between 2010 and 2019.

**Question:** So why did major health insurance industry stock go UP after the passage of this bill?

The Standard & Poor's Managed Health Care Index, which includes HMO health insurance plans, increased by nearly 5%. Morgan Stanley's similar index, known as the Healthcare Payor stock index, went up by 3.6%. Meanwhile, the S&P Healthcare index rose almost 1.5%. Which health insurance companies gained the most after the announcement? Aetna was one of the main beneficiaries: their shares increased by 5.84% in under 24 hours! With 5.3%, Cigna was also very successful. United Health Group, Humana, and Wellpoint also benefited from the legislation. Most other major companies that sell health insurance plans are either non-profit organizations or privately held. Also see [www.marketwatch.com](http://www.marketwatch.com) 'Drug stock rises after bill passes'.

**Answer:** Because the requirement to have this insurance floods the insurance industry with new customers. Those customers that cannot afford to pay for their insurance are subsidized by our tax dollars. Therefore, insurance companies are profiting new tax dollars by this bill.

**Bottom Line:** The insurance lobby won. The American Taxpayer and patients that need quality medical care lost.

**Abortion and Community Health Care Centers:** Abortion is not only funded by tax dollars in this bill – there is no executive order that protects taxpayers from paying for abortions.

**“The authorizing legislation for Community Health Centers creates a presumptive mandate for funding abortions without meaningful limit. Currently such funding is prevented only by the fact that funds under the Labor/HHS appropriations act are governed by the Hyde amendment. By appropriating new funds not covered by Hyde, and failing to include any relevant abortion limitation of its own, the Senate health care bill would disburse billions of dollars in federal funding that no one could prevent from being used for elective abortions.” USCCB**

I have found a couple of very good documents to educate yourself on the issue – they are both from the United States Conference of Catholic Bishops.

The first one gives a very good history of funding abortions in America – explains the history of the Hyde Amendment how this legislation gets around it to use Community Health Care Centers to provide taxpayer funded abortions: <http://www.usccb.org/healthcare/communityhealthcenters.pdf>

The second one is from the Office of the General Counsel of the U.S. C.C.B providing legal analysis of how this bill violates both principles of the Hyde Amendment and how the accompanying executive order IN NO WAY remedies this problem: <http://www.usccb.org/healthcare/03-25-10Memo-re-Executive-Order-Final.pdf>

**Bottom Line:** The Pro Choice Lobby won – unborn children and the taxpayer lost.

\*\*If you email me I can email you a pdf file of the two above documents.

## **Abortion – Federal AND Municipal Legislative Issue:**

### **Austin, TX Abortion Clinic Ordinance Passed Unanimously April 8<sup>th</sup>**

Item 27 on Austin, April 8th City Council Agenda was a city ordinance requiring limited service pregnancy centers to post signs disclosing that they do not provide abortions. It was unanimously approved on a 7-0 vote. Video of Item 27 on Austin City Council (35 minutes long) – see actual meeting and testimony here: <http://austintx.swagit.com/player.php?refid=04082010-1> Email entire council here: <http://www.ci.austin.tx.us/council/groupemail.htm>

Ordinance Language:

Approve an ordinance amending the City Code to add a new Chapter 10-9 to require limited service pregnancy centers to post signs disclosing that they do not provide or refer for abortions or comprehensive birth control services; creating an offense and imposing a penalty. (Council Member William Spelman Council Member Laura Morrison Mayor Pro Tem Mike Martinez)

See Ordinance and backup material here:

<http://austintx.swagit.com/player.php?what=agenda&refid=04082010-1&item=1&pos=1095> – where the only data council used in their decision making process was data provided by the pro-choice lobby group NARAL Pro Choice Texas.

If you look at the video you will see that those that spoke in opposition to this bill clearly indicated constitutionality concerns, which were ignored by council. They also spoke of equality – that if they were required to post this outside of their facility – that abortion providing facilities should also be required to post services that they do not provide outside of their facilities...again...ignored by council. They also asked council to delay this agenda item until council could receive unbiased data rather than going solely on the NARAL report...again, ignored by council.

I encourage you to follow this issue and support those opposing this ordinance.

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Recommended Reading: Texas Republicans: Who we are and what we stand for:

Read the 2008 Texas Republican Party Platform:

[http://www.1888932-2946.ws/TexasGOP/E-ContentStrategy/userfiles/FINAL\\_2008\\_PLATFORM.pdf](http://www.1888932-2946.ws/TexasGOP/E-ContentStrategy/userfiles/FINAL_2008_PLATFORM.pdf)

The 2010 Texas Republican Party Platform will be written at the State Convention this June in Dallas.

To sign up for my Precinct Chair Newsletter: email me at: [leigh@southlakerealty.com](mailto:leigh@southlakerealty.com)