

Rep. Hildenbrand offered the following resolution:

**House Resolution No. 172.**

A resolution to memorialize Congress to reject proposals instituting new federal review, oversight, or preemption of state health insurance laws, creating a federal health insurance exchange or connector, and creating a federal health insurance plan or so-called public plan option.

Whereas, 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 states primarily regulate today’s health insurance market and provide aggressive oversight of all aspects of this market and enforce consumer protection as well as ensure a local, responsive presence for consumers. The state-based system of regulation of health insurance has served all interests well; and

Whereas, Congress is considering legislation that may impose restrictions on the states’ ability to regulate health plans, including overriding already adopted state patient protections. 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 without federal intervention. The creation of a new federal system of regulation for health insurance would be inefficient, unnecessary, not cost-effective, and an additional burden on the health care delivery system; and

Whereas, Additional revenue may be required to fund the legislation Congress is considering. This may lead to increased taxes to fund and regulate health plans, without adequate review of wasteful spending; and

Whereas, Congress is considering legislation that would create a federal health insurance exchange or connector to facilitate the purchase of health insurance by individuals and small employers, including offering a new public plan option. A federal exchange would create conflicting state and federal rules, resulting in consumer confusion and leading to adverse selection. Substantial resources would be required to create a new federal entity that duplicates functions currently performed by states. States’ oversight of health insurance would be undermined and substantially shifted to the federal government. A federal exchange would undermine state authority to design programs that reflect local needs; and

Whereas, Private sector health plans are leaders in innovations to improve quality, benefits, and customer service that government-sponsored health plans have been slow to adopt. A new public plan is unnecessary in light of the private sector’s product offerings and innovations. A new public plan would not improve competition, but would result in an uneven playing field that would shift costs to the private sector and undermine private plans. A new public health insurance plan would be subject to constant federal changes; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to reject proposals instituting new federal review, oversight, or preemption of state health insurance laws, creating a federal health insurance exchange or connector, and creating a federal health insurance plan or so-called public plan option; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and members of the Michigan congressional delegation.