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SENATE JOINT RESOLUTION

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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"; and

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WHEREAS, The U.S. Congress has recently passed and the President has signed into law federal legislation that imposes mandates on all states with regards to healthcare and insurance; and requires the expenditure of state funds to sustain these mandates; and

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WHEREAS, The federal healthcare mandates expand Medicaid eligibility to include all adults under age 65 up to 133% of the Federal Poverty Level (FPL) beginning in 2014; and

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WHEREAS, The Illinois Department of Healthcare and Family Services estimates 600,000 to 650,000 people will be newly eligible under these federal mandates, requiring the expenditure of State funds increasing yearly to an estimated annual State expenditure of \$195 million beginning in FY 2020; and

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WHEREAS, The Illinois Department of Healthcare and Family

1 Services asserts that under the federal legislation Medicaid
2 rates paid to doctors will be increased to the level of payment
3 received for Medicare services, requiring after FY 2014, if the
4 increased rates are to be maintained by the states, the cost to
5 the State of Illinois to be an additional \$500 to \$600 million
6 annually; and

7 WHEREAS, The federal healthcare initiative recently signed
8 into law requires maintenance of effort from every state,
9 including, but not limited to, maintaining current eligibility
10 requirements for adults until the Health Care Exchange is fully
11 operational, and current income eligibility levels for
12 children in Medicaid and CHIP until 2019; and

13 WHEREAS, The creation of a new federal system of regulation
14 for health insurance will be inefficient, unnecessary, not
15 cost-effective, and an additional burden on the health care
16 delivery system in Illinois; and

17 WHEREAS, Free and open markets for healthcare can improve
18 quality, benefits, and customer service to a level that
19 government-sponsored health plans cannot match; and

20 WHEREAS, The mandatory insurance measures recently enacted
21 by Congress and signed into law by the President create a
22 federally mandated health insurance exchange to compel the

1 purchase of health insurance by individuals and small
2 employers; therefore, be it

3 RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL
4 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
5 CONCURRING HEREIN, that we urge Congress to immediately
6 initiate and enact legislation authorizing individual states,
7 by positive action of their duly elected state legislatures and
8 assemblies, the right and ability to decidedly remove their
9 citizens and residents from any and all provisions instituting
10 new federal review, oversight, or preemption of state health
11 insurance laws; creation of any federally mandated health
12 insurance exchange or connector; or mandated expenditure of
13 state funds to maintain a federal healthcare initiative; and be
14 it further

15 RESOLVED, That suitable copies of this resolution be
16 distributed to all Members of the U.S. Senate and U.S. House of
17 Representatives elected by the people of the State of Illinois.