

H.R. 767 would interject personal responsibility into the Health Care Law

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WASHINGTON, DC—U.S. Congressman Peter DeFazio (D-OR) introduced legislation allowing individuals to opt out of the controversial individual mandate in last year’s health reform law that requires most Americans to have health insurance. The legislation gives Americans the opportunity to take personal responsibility for their health care if they object to the government mandate.

The bill would allow individuals to opt out of the insurance mandate by signing an “affidavit of personal responsibility” that would waive their right to taxpayer funded medical assistance. In making the choice to opt out, individuals would accept the full cost of their own health care, and not be a burden on taxpayers, medical providers, or other Americans who have purchased insurance.

“This is a common-sense fix that may resolve not only the constitutional questions of the individual mandate, but also provides a workable remedy for those who do not want more federal intrusion into their lives,” said DeFazio. “ I believe buying insurance should be a choice, not a matter of federal coercion. But with that choice, comes personal responsibility. If someone waives their right to the federal health care backstop, then they alone are burdened with their future healthcare costs.”

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Under DeFazio’s proposal, anyone required to purchase health insurance who does not already qualify for an exemption can opt-out of the mandate. To do so they must file an “affidavit of personal responsibility” with the state exchange. Such a filing will waive their rights for three years to:

- 1) the pre-existing conditions protections in the health care reform law;
- 2) the opportunity to buy insurance in the state exchange; and
- 3) the ability to discharge medical debt under Chapter 7 bankruptcy

It is estimated that every Oregonian who purchases health insurance pays an additional \$1400 each year for unreimbursed medical care for the uninsured and the underinsured. DeFazio’s bill would make it difficult for those who opt-out to foist their health care costs onto others, thereby reducing this hidden tax.

“No one would be turned away from care because they opted out, but they will take sole responsibility for the cost of that care. The burden will be theirs and theirs alone,” said DeFazio.

“This legislation will protect an individual’s freedom to make their own decisions about health insurance, but not let those decisions harm everyone else.”