

NATIONAL CONFERENCE OF INSURANCE LEGISLATORS (NCOIL)

Resolution in Support of H.R. 506, *The Health Partnership Through Creative Federalism Act*

Adopted by the NCOIL Health, Long-Term Care & Health Retirement Issues Committee on November 16, 2007, and Executive Committee on November 17, 2007.

Sponsored by Sen. Alan Sanborn (MI), Rep. Brian Kennedy (RI), Sen. James Seward (NY), Rep. Robert Damron (KY), and Rep. George Keiser (ND)

WHEREAS, the U.S. Census Bureau reported that the number of Americans without health insurance in 2006 increased to more than 47 million people—representing a five percent increase from 2005; and

WHEREAS, a majority of health insurance plans are regulated by the federal government through Medicare, Medicaid, or the *Employee Retirement Income Security Act of 1974 (ERISA)*; and

WHEREAS, such an expanded federal role in health insurance has diminished the role of the states in regulating insurance and impeded state efforts to address the uninsured; and

WHEREAS, NCOIL believes that states could enact landmark reforms should Congress heed the advice of former Supreme Court Justice Louis Brandeis and approach state legislatures as “laboratories of democracy;” and

WHEREAS, though faced with federal obstacles, in 2006 state legislatures in Massachusetts and Tennessee enacted comprehensive health insurance reforms designed to improve access and affordability of health insurance in their respective states; and

WHEREAS, Congresswoman Tammy Baldwin (D-WI) and Congressmen Tom Price (R-GA) and John Tierney (D-MA) have introduced bipartisan legislation H.R. 506, *The Health Partnership Through Creative Federalism Act*; and

WHEREAS, H.R. 506 would provide federal “State Health Expansion and Improvement Grants” to states to develop and implement innovative comprehensive health insurance reform proposals to address their respective uninsured populations; and

WHEREAS, H.R. 506 is designed “to break the Congressional logjam regarding health care reform and provide for innovation in health care through state initiatives that expand health care coverage,” according to its sponsors; and

WHEREAS, H.R. 506 would permit states to seek exceptions to otherwise applicable federal statutes, regulations, and policies, including ERISA; and

WHEREAS, H.R. 506 would encourage states to implement a variety of reform options, including, but not limited to tax credit approaches, expansions of public programs such as Medicaid and the State Children's Health Insurance Program (SCHIP), health savings accounts (HSAs), high risk pools, single-payer systems, and purchasing pool arrangements similar to the Federal Employees Health Benefits Program (FEHBP); and

WHEREAS, H.R. 506 was cosponsored by 74 members of Congress including 39 Democrats and 35 Republicans as of October 5, 2007; and

WHEREAS, a substantially similar bill, S. 2772, *The Health Partnership Act*, has been introduced in the Senate by Senators George Voinovich (R-OH) and Jeff Bingaman (D-NM); and

NOW, THEREFORE BE IT RESOLVED that the National Conference of Insurance Legislators (NCOIL) supports H.R. 506/S. 2772, *The Health Partnership Through Creative Federalism Act*, and urges members of Congress to take action on the proposal and help states address the number of uninsured Americans;

BE IT RESOLVED THAT that NCOIL encourages state lawmakers to contact their Congressional delegations to urge members to take up H.R. 506/S. 2772;

BE IT ALSO RESOLVED THAT NCOIL commends Congresswoman Tammy Baldwin, Congressmen Tom Price and John Tierney, and Senators George Voinovich and Jeff Bingaman for their leadership in developing and promoting bipartisan legislation that recognizes states as 'laboratories of democracy;'

BE IT FINALLY RESOLVED that a copy of this resolution shall be sent to state legislative leaders across the country and in the Congress, and to the primary sponsors of H.R. 506 and S. 2772.