March 22, 2017

**Key Vote NO on the American Health Care Act, H.R. 1628**

On behalf of our activist community, I urge you to contact your representative and ask him or her to vote NO on the American Health Care Act, H.R. 1628. We cannot support the bill as written because it does not go far enough to permanently dismantle the ObamaCare framework.

The likelihood of a rule severely limiting amendments from the floor that could, if passed, salvage the American Health Care Act is a significant factor in our decision to formally oppose the bill. We hope leadership will bring in House conservatives, including the Freedom Caucus, to have an open amendment process in the future. Frankly, we are stunned that these consultations did not begin early in the process after the election.

It is clear that ObamaCare has failed. Health insurance premiums on the ObamaCare exchanges increased by an average of 25 percent for 2017, one-third of counties have access to only one insurance provider on the exchanges, and 18 of ObamaCare’s 23 CO-OPs have folded. Aetna CEO Mark Bertolini has said that ObamaCare is in a “death spiral.”

FreedomWorks has long opposed ObamaCare and supported the effort to repeal the 2010 law, which is why we key voted in favor of the Restoring Americans’ Healthcare Freedom Reconciliation Act, H.R. 3762, in the 114th Congress. This bill repealed ObamaCare’s tax and cost-sharing subsidies, most of the law’s taxes, and Medicaid expansion within two years. It also zeroed out the individual and employer mandates.

The Restoring Americans’ Healthcare Freedom Reconciliation Act passed both chambers of Congress with overwhelming Republican support. In fact, only five members—three in the House and two in the Senate—voted against it. All but three House Republicans voted to override President Barack Obama’s veto of the Restoring Americans’ Healthcare Freedom Reconciliation Act in February 2016.

After President Obama’s veto of Restoring Americans’ Healthcare Freedom Reconciliation Act, Speaker Paul Ryan (R-Wis.) said, “We have shown now that there is a clear path to repealing
ObamaCare without 60 votes in the Senate. So, next year, if we’re sending this bill to a Republican president, it will get signed into law.”

Senate Majority Leader Mitch McConnell (R-Ky.) once declared, “[T]he best interests of the country would be achieved by pulling out ObamaCare root and branch.”

The American Health Care Act falls short of these promises.

There are parts of the American Health Care Act that bring about positive reforms, including the expansion of health savings accounts (HSAs), the repeal of most of ObamaCare’s taxes, and Medicaid reforms. Unfortunately, even with recently submitted changes, the American Health Care Act has too many ObamaCare-like flaws.

While the American Health Care Act would repeal ObamaCare’s tax and cost-sharing subsidies, it would create new tax and cost-sharing subsidies. This does little more than repeal one entitlement to create a new one.

The bill could create the scenario of keeping Medicaid expansion far beyond January 1, 2020, a presidential election year, when the American Health Care Act will supposedly repeal it. Medicaid expansion could become the new sequester or Medicare “doc fix.”

The American Health Care Act does not repeal some elements of ObamaCare that are driving up the cost of insurance premiums, including the “essential health benefits.” Speaker Ryan has insisted that parts of ObamaCare cannot be repealed through reconciliation because of narrow constraints in the Senate.

Still, the American Health Care Act does seek to modify parts of ObamaCare, including the age-rating restrictions and actuarial value standards, that arguably face challenges in the Senate. What’s more, ObamaCare’s actuarial value standards and essential health benefits reside in the same section of the law, Section 1032. The justification for going after one cost-driving provision while leaving another in place does not make sense.

At the end of the day, whether the American Health Care Act passes the House or not, Americans will judge Republicans based on the answer to one simple question: did health insurance premiums decline? If the American Health Care Act leaves in place parts of ObamaCare that have caused premiums to rise, Republicans will pay a political price.

If Speaker Ryan and House Republican leadership cannot gather enough votes to pass the bill and are forced to remove it from the calendar, the default position should be the Restoring Americans’ Healthcare Freedom Reconciliation Act, versions of which have already been introduced in the 115th Congress. We would wholeheartedly support this effort, and it would give us two years to work out an agreeable replacement to ObamaCare based on patient-centered, free market solutions.
Although this is a complicated process, we are confident that ObamaCare will be repealed in this Congress.

FreedomWorks will count the votes for the American Health Care Act, H.R. 1628, when calculating our Scorecard for 2017 and reserves the right to score any related votes. The scorecard is used to determine eligibility for the FreedomFighter Award, which recognizes Members of the House and Senate who consistently vote to support economic freedom and individual liberty.

Sincerely,

Adam Brandon
President
FreedomWorks