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Health reform block passes

Idaho House bill would bar insurance mandate

BOISE – In a pre-emptive strike against possible federal health care reform, the Idaho House of Representatives passed a bill Tuesday that would ban enforcement of federal requirements to buy health insurance and force the state to challenge any such requirements in court.

Called the “Idaho Health Freedom Act,” the measure was introduced by Rep. Jim Clark, R-Hayden Lake, and passed on a 52-18 party-line vote. Clark said the bill “is not saying no to health care reform,” but rather sets up Idaho to enact reform on its own terms.

“It will help shield Idaho from a federal individual mandate,” Clark said, adding, “We’re not alone in this battle – there are 36 states nationally” looking at similar legislation.

The bill, HB 391, now moves to the state Senate. It seeks to set Idaho up for a lawsuit against federal health care reforms and requires the state attorney general to go to court to fight them.

Clark said he recognizes that federal law is the law of the land, but “states may provide stronger protection of individual freedoms than the federal Constitution allows.”

State Rep. Lynn Luker, R-Boise, the bill’s co-sponsor, called any federal requirement to purchase health insurance an “extreme deviation from our constitutional principles.”

House Minority Leader John Rusche, D-Lewiston, called the bill “premature,” noting that federal health care reform hasn’t been enacted and may not come to pass. He and other opponents questioned spending money on litigation when Idaho is poised to cut funding for schools, parks and other programs because of its budget crunch.

Rusche, a physician, also noted that many sections of Idaho law require the purchase of health insurance, including child support and foster care laws. He cited growing health care costs and said they’re the biggest barrier to health care access. “I don’t believe this bill addresses that at all,” he said.

But state Rep. Raul Labrador, R-Eagle, a candidate for Congress, said, “there’s nothing in this legislation that says that the majority ... What of the individuals in this body are against health care reform. we don’t want is federal reform. We don’t want federal concepts intruding on the rights and liberties of individuals here in Idaho.”

Idaho AARP representatives told lawmakers before the vote that the group planned to publicize their votes on the bill to members and said AARP is strongly against the bill. Jim Wordelman, state director for AARP in Idaho, called the bill “irresponsible.”