

NULLIFICATION OF FEDERAL HEALTH CARE LAW

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends the Governor's Programs related to the Health System Reform Act.

Highlighted Provisions:

This bill:

- ▶ incorporates principles from the Health Care Compact that assert states' rights over health care; and
- ▶ requires Utah's representative to the Interstate Advisory Health Care Commission of the multi-state Health Care Compact to:
 - propose that the member states of the compact under the terms of the compact work together to nullify federal health care reform; and
 - work with the advisory commission to implement the nullification of federal health care reform as adopted through the compact.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

63M-1-2508, Utah Code Annotated 1953



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **63M-1-2508** is enacted to read:

30 **63M-1-2508. Nullification of federal health care reform.**

31 (1) For purposes of this section:

32 (a) "Compact" means the multi-state effort to assert states' rights over health care that
33 is described in the Health Care Compact adopted by the state under Section 63M-1-2507.

34 (b) "Interstate Advisory Health Care Commission" is the body created in the compact
35 to work with other member states to assert the principles described in Section 63M-1-2507,
36 including the principles that:

37 (i) the constitution created a federal government of limited and enumerated powers and
38 reserves to the states or the people the powers not granted to the federal government;

39 (ii) the federal government has enacted many laws that have preempted state laws with
40 respect to health care, and placed increasing strain on state budgets, impairing other
41 responsibilities including education, infrastructure, and public safety; and

42 (iii) member states will take joint and separate actions to suspend the operation of all
43 federal laws, rules, and regulations regarding health care that are inconsistent with the laws and
44 regulations adopted by the member states pursuant to the compact.

45 (c) "Utah representative" means the individual appointed to represent Utah on the
46 Interstate Advisory Health Care Commission in accordance with Section 63M-1-2507.

47 (2) Utah's representative to the Interstate Advisory Health Care Commission for the
48 compact shall work with the compact member states and propose to nullify federal health care
49 reform under the terms of the compact, and work with the commission to implement the
50 nullification proposal as adopted through the compact.

Legislative Review Note
as of 2-8-13 12:26 PM

Office of Legislative Research and General Counsel