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Are the Feds Forcing Citizens to Accept Medicare?

CCHF Agrees with New Petition to U.S. Supreme Court Alleging that the Federal Government is Coercing Individuals to Accept Medicare Against Their Will

Key Facts:

- A group of plaintiffs has petitioned the U.S. Supreme Court to hear their case, which alleges that the federal government is forcing citizens to accept Medicare, sometimes against their will.
- The federal government has used a rule-making manual called POMS – which stands for Program Operations Manual System and was created without administrative due process, which would include public review and comment – to insist that any citizen who voluntarily turns down Medicare benefits must also be denied Social Security benefits earned through their lifetime of work, and that any Social Security benefits received must be paid back to the government.
- In the Supreme Court decision on Obamacare, the High Court ruled that conditioning an existing benefit on acceptance of a new benefit or obligation was to coerce the states into something they do not want.
- The same principle applies with regard to individuals if they must accept Medicare Part A in order to receive their Social Security benefits that were paid into over a lifetime of work.

ST. PAUL, Minn. – On August 24, 2012, a group of plaintiffs petitioned the U.S. Supreme Court to hear their case, which alleges that the federal government is forcing citizens to accept Medicare Part A coverage, sometimes against their will. Using a rule-making manual called POMS – which stands for Program Operations Manual System – the Federal Government insists that any citizen who voluntarily turns down Medicare benefits must also be denied Social

Security benefits earned throughout their lifetime of work, and that any Social Security benefits received must be paid back to the government upon denial of Medicare.

The primary problem is clear: the POMS was implemented without any administrative due process, including public review and comment. The result is the implementation of a rule that once again compels Americans to join a government program – Medicare – whether or not they want or need it, with the fear of losing a rightfully paid-into benefit if they decline.

In essence, the federal government is once again trying to force a government-controlled form of healthcare onto unsuspecting Americans, all the while holding rightfully earned Social Security benefits “hostage” if they choose to purchase totally private coverage in their senior years. The *Citizens’ Council for Health Freedom* decries the intrusion on commerce and individual liberty, and urges all Americans to support the plaintiffs in this case in any way possible.

“In its’ Obamacare decision, the High Court ruled that conditioning an existing benefit on acceptance of a new benefit or obligation was to coerce the states into something they do not want. The same principle applies with regard to individuals if they must accept Medicare Part A in order to receive their Social Security benefits that they paid into over a lifetime of work,” said Twila Brase, President on the Citizens’ Council for Health Freedom. “The government is once again over-reaching and forcing its way into private healthcare, even when citizens neither require nor desire their help in obtaining health insurance coverage in their sunset years, and penalizing them when citizens say ‘no thanks’.”

The *Citizens’ Council for Health Freedom* supports the petition by the plaintiffs to have the Supreme Court hear its case, and urges the government to “unbundle” Medicare Part A coverage from Social Security. Citizens capable of purchasing private healthcare coverage at any age should not only be able, but encouraged to do so.

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Twila Brase is president and co-founder of the *Citizens’ Council for Health Freedom*. She has been called one of the “100 Most Powerful People in Health Care” and one of “Minnesota’s 100 Most Influential Health Care Leaders.” The Council’s efforts have stopped government-issued treatment directives, added informed consent requirements for access to patient data and defeated a proposed Health Insurance Exchange. Brase’s daily radio commentary, *Health Freedom Minute*, is a 60-second radio address on pressing health care issues. She has been interviewed by CNN, Fox News, Minnesota Public Radio, NBC Nightly News, NBC’s Today Show, NPR, New York Public Radio, the Associated Press, Modern Healthcare, TIME, The Wall Street Journal, The Washington Post and The Washington Times, among others.