



Freedom to NOT CHOOSE Medicare

Petition to Congress and the Trump Administration

Citizens cannot receive Social Security benefits if they refuse Medicare Part A (hospitalization). This is not a law or a rule. Without Congressional authority, the Social Security Administration added this restriction to the Program Operations Manual System (POMS) in 1993.

I, a concerned citizen of the United States of America, petition the United States Congress and the Administration of President Donald J. Trump to restore freedom and choice in the federal Medicare and Social Security programs. I oppose the unlawful practice of linking these two entitlement programs for the following reasons:

- Congress has not enacted a law requiring Medicare enrollment to receive Social Security benefits.
- On August 30, 1993 and May 23, 2002, the Social Security Administration (SSA) issued executive instructions for Social Security enrollment stating, in effect, that retirees who elect to opt out of Medicare Part A will automatically lose his or her Social Security retirement benefits. The instructions were issued without notice or benefit of public comment.
- The SSA, in violation of the U.S. Constitution, which (Article 1) grants legislating authority only to Congress, unlawfully conditions eligibility of Social Security on enrollment in Medicare Part A.
- Medicare is a voluntary program open to any U.S. citizen who meets the eligibility criteria and “files an application” to enroll. Neither the eligibility provision of Social Security (42 U.S.C. §402(a)) nor the eligibility provision for Medicare (42 U.S.C. §426(a)) require a citizen to enroll in Medicare, Part A, as a condition of receiving Social Security.
- Citizens entitled to social security benefits may not wish to accept Medicare because Medicare recipients:
 - Have been involuntarily enrolled in Affordable Care Act Accountable Care Organizations (ACOs)
 - Are not allowed to privately purchase medical services denied by Medicare and its contractors unless the practitioner has opted out of the Medicare program or an Advanced Beneficiary Notice has been offered and signed by the patient.

I hereby petition the United States Congress and the Administration of President Donald J. Trump to restore freedom and choice to the Medicare and Social Security programs by allowing citizens to claim social security benefits without a requirement to enroll in Medicare.

Signature _____ Date _____

First Name _____ Last Name _____

Medicare Recipient? **Yes** **No** Eligible for Medicare in the Future? **Yes** **No**

Address _____

City _____ State _____ Zip code _____

Phone _____ Email _____

RETURN PETITION TO CCHF: FAX to 651-646-0100 or
MAIL to Citizens' Council for Health Freedom, 161 St. Anthony Ave. Ste. 923, St. Paul, MN 55103