

NEWS RELEASE

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CCHF Says Obamacare Language on Subsidies Could Protect Americans from the Law's Mandates and Penalties

The law's "largest exemption" for states without state exchanges could nullify Obamacare

ST. PAUL, Minn.— Thirty-four states have refused to set up Obamacare state health insurance exchanges, and residents in those states may be exempt from Obamacare with no enforceable mandates or penalties.

According to **Twila Brase**, patient advocate and co-founder of **Citizens' Council for Health Freedom**, the Affordable Care Act specifically reads that only people in the 14 states and the District of Columbia that have established their own exchange can receive government premium subsidies through the exchanges, impose the individual and employer mandates, and impose penalties for failure to buy ACA-compliant insurance.

"The law's largest exemption is not on the law's exemption list. It's hidden," Brase says. "There are nine exemptions listed in the law, but the largest one is reserved for states that do not have state exchanges. Obamacare's mandates and penalties are tied to the subsidies – no subsidies, no mandates -- and the law limits the provision of subsidies to state-established exchanges. Healthcare.gov is a federal exchange and by law cannot issue subsidies."

Brase cites a recent "Newsweek" article, which states: "Without subsidies, health care on the individual market becomes unaffordable. Without an affordable option, the individual and employer mandates disappear. In other words, the entire law could come crashing down..."

The question about state subsidy language began when a conservative law professor uncovered a portion of the ACA that could unravel the entire law. The law stipulates that the federal subsidies for individuals buying insurance in their state's health care exchanges should be for plans purchased "through an Exchange established by the State under Section 1311," a reference to the section of the law that establishes state-run exchanges.

There are four lawsuits challenging the subsidies in federally run exchanges. The most prominent one, *Halbig v. Sebelius*, was argued in D.C. district court this month by premier conservative litigator

Michael Carvin, who said the state vs. federal language in the law's language is very cut and dry. Obamacare opponents are hoping the case reaches the Supreme Court soon.

Pruitt v. Sebelius was filed by the state of Oklahoma. The attorney general, Scott Pruitt, has argued that the subsidy section of the law applies only to state exchanges, telling Fox News, "If there's no state healthcare exchanges, there are no subsidies. And if there are no subsidies there are no penalties." Virginia and Indiana have filed similar suits.

Twila Brase shares health care-related news with the American public in her daily, 60-second radio feature, **Health Freedom Minute**. **Health Freedom Minute** airs on the entire American Family Radio Network, with more than 150 stations nationwide, in addition to Bott Radio Network with over 80 stations nationwide. During the daily features, **listeners can learn more about the agenda behind proposed health care initiatives and policies and what they can do to protect their health care choices, rights and privacy.**

Brase informs listeners of crucial health issues, such as the intrusive wellness and prevention initiatives in Obamacare, patient privacy and the need for informed consent requirements, the dangers of "evidence-based medicine" and the implications of state and federal health care reform.

Twila Brase, a public health nurse and health freedom advocate, has been called one of the "100 Most Powerful People in Health Care" and one of "Minnesota's 100 Most Influential Health Care Leaders." 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. Brase shares health care-related news and commentary with the American public in her daily, 60-second radio feature, Health Freedom Minute, which airs on nearly 350 stations daily, including the 150-station American Family Radio Network and the 80-station Bott Radio Network. During these daily features, listeners can learn more about the agenda behind proposed health care initiatives, the ramifications of proposed policies and actions that can be taken to protect their health care choices, rights and privacy. Health Freedom Minute is sponsored by the Citizens' Council for Health Freedom, a patient-centered national health freedom organization based in St. Paul, Minn. CCHF supports patient and doctor freedom, medical innovation and the right of citizens to a confidential patient-doctor relationship.

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For more information or to interview Twila Brase, president and co-founder of Citizens' Council for Health Freedom, contact Deborah Hamilton, Hamilton Strategies, 215.815.7716, 610.584.1096, DH@HamiltonStrategies.com.