

NEWS RELEASE

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Supreme Court Begins Hearing Arguments Wednesday That Could Unravel Obamacare

Citizens' Council for Health Freedom Says a King Victory Will Restore Health Freedom to Millions of Americans

ST. PAUL, Minn.—On Wednesday, the U.S. Supreme Court will begin hearing arguments in the landmark case *King v. Burwell*, which, if found in favor of the plaintiffs this summer, could unravel Obamacare for good.

Patient advocates at *Citizens' Council for Health Freedom (CCHF, www.cchfreedom.org)*, a Minnesota-based national organization dedicated to preserving patient-centered health care and protecting patient and privacy rights, say fear is palpable on both sides—fear on the part of Obamacare supporters that the entire health care system will fall apart, and even trepidation on the side of some Obamacare opponents, afraid of the consequences of millions of Americans losing their government health coverage.

But *CCHF's* president and co-founder, Twila Brase, says there certainly shouldn't be a fear of winning the case. Americans won't lose out; instead, millions in states that have not set up intrusive state health care exchanges will regain their health freedom.

"It seems many conservatives are afraid of winning the King v. Burwell Affordable Care Act subsidy case against the Obama administration," Brase said, "with some saying it might even be better to lose! Not true. If bureaucrats can make the law say whatever they want it to say, we are in deep trouble. We need to focus our attention on the millions of WINNERS in the 37 states if there is a victory for King."

In her weekly [Health Freedom eNews](#), Brase recently reminded readers that the ACA only allows subsidies from exchanges "established by the state." But when most states refused to establish an exchange, the IRS began issuing subsidies through the federally-established [HealthCare.gov](#). That action, and the subsequent argument, is the crux of the case.

"The administration claims 'congressional intent' as its authority," Brase added. "However, congressional history and recently fired ACA architect Jonathan Gruber say otherwise. Even more importantly, if the actual words in a law can be redefined by mere claims of intent, congressional leaders in cahoots with presidents will use such claims to bypass future Congresses."

In this battle over the rule of law, Supreme Court justices must vote for statutory rigor, not interpretive dance.

“To avoid political disaster,” she continued, “some say Republicans must let the 6.5 million with illegal subsidies keep them. Others say the Court will rule based on Republican resolve to protect the illegally subsidized. But consider Governor Scott Walker (R-WI). What if he had listened to capitulatory advice against battling unions? Instead, by refusing to buckle on bad ideas, he won victories for the people of Minnesota.”

According to numbers reported in USA Today last week, Department of Health and Human Services Secretary Sylvia Burwell said about 8.8 million selected a plan or were automatically re-enrolled through HealthCare.gov from Nov. 15, 2014, to Feb. 22, 2015, which was an extended deadline due to web site glitches.

Brase says that issuing illegal subsidies was Obama’s calculated strategy to expand Obamacare—and to save face. Consider how Obama, desperate to save his legacy, might feel about the following:

- Only 2.8 million are signed up for Obamacare through state exchanges.
- Of the 11.4 million signed up, 8.6 million came via the federal exchange.
- 87% of 11.4 million received taxpayer-funded federal subsidies.
- Only 1.1 million people are likely to have signed up at the federal exchange without subsidies available (the unsubsidized 13% of 8.6 million).
- 3.9 million is the low likely total number of ACA enrollees today if no federal exchange subsidies existed.
- Yet, the federal estimate of Obamacare enrollees in 2016 is 22 million!

Conservatives must refuse to help him, Brase added, and instead must let enrollment fall to lawful ACA levels.

“They must not expand Obamacare by legalizing the illegal subsidies,” she said. “Health freedom is at stake. The rule of law hangs in the balance. Patients’ lives, jobs, wages and the American dream are all at risk. And don’t forget—Obamacare mandates and penalties are tied to the availability of subsidies, which the plain words of the law say can be issued only by state exchanges. Thus, millions of employers and individuals in 37 states without a state exchange are SAFE from Obamacare’s mandates and penalties—if King wins and if Republicans stand strong. Subjecting these millions and millions of Americans to Obamacare mandates and penalties would be the real political disaster.”

For more information about **CCHF**, visit its web site at www.cchfreedom.org, its Facebook page at www.facebook.com/cchfreedom or its Twitter feed @TwilaBrase.

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