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Is Penalty-Tax Unconstitutional?

Two lawyers who successfully helped 26 states challenge Obamacare’s Medicaid expansion mandate think the tax for refusing to buy insurance is unconstitutional. They say the Court’s transformation of the individual mandate into a tax violates the Constitution’s Uniformity Clause, which requires federal taxes to be uniform across the country.

The attorneys explain that the tax is not uniform because lower income people in states that expand Medicaid can avoid paying it if they sign up for Medicaid. But lower income people in states that choose not to expand Medicaid will have to pay for it. Thus, because states don’t have to expand Medicaid, the tax is not uniform. I see another lawsuit coming.


Presented daily by Twila Brase, President, Citizens’ Council for Health Freedom.

*The Health Freedom Minute is now heard in 37 states: Mornings M-Th at AM1280 (The Patriot) in MN and 91.5 AM WHKC (FreedomFM) in OH, afternoons on American Family Radio, and daily on the Bott Radio Network.*