August 10, 2017

President Donald Trump
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

Dear Mr. President:

You must soon make a decision that will determine the future of the Affordable Care Act and its continuing encroachment on American patients and doctors. Our organization writes to offer advice.

Cost-sharing reduction (CSR) subsidies, which President Obama funded despite Congress providing no appropriation, are propping up the ACA. Without them, the Obamacare exchanges – the central superstructure of the law – will collapse. When something bad collapses, it is good. In this case, it would be very good for health freedom. NOTE: Health plans will not collapse, just the federal command-and-control ACA infrastructure, creating a cascading effect toward freedom and reclaiming of state’s rights.

The ACA has harmed Americans. The ACA has diminished the greatness of our country and the excellence of medicine. It has compromised the integrity of liberty, restricted the financial resources of millions, and interfered with the lives and private choices of individual patients and the doctors who care for them.

On July 29th, you said: "If a new Health Care Bill is not approved quickly, BAILOUTS for Insurance Companies and BAILOUTS for Members of Congress will end very soon!"

We encourage you to make it so. You have the power to begin the restoration of health freedom in America by shutting down the $7-$10 billion ACA bailouts the insurers want to wrest from taxpayers. As I stated in a Washington Times op-ed (4-26-17), you can return control to the States by:

1) Dropping the administration’s appeal of House vs. Price regarding unlawful CSR subsidies.
2) Refusing to distribute unlawful CSR subsidies to health plans

The ACA was written in such a way that it cannot stand alone on premiums paid by individuals for coverage. New taxes, new fees, new penalties, and skyrocketing premiums – and the loss of individual freedom – were established in law to create a national program of wage redistribution through federal subsidies paid directly to managed-care health plans, which were given the entire market. For example:

- Advance Premium Tax Credits (premium subsidies)
- Cost-Sharing Reduction Subsidies (deductible, copayment, and co-insurance subsidies)
- Risk Corridors (re-distribution of insurance premiums through the federal government)
- Reinsurance (~$25 billion pool of money for redistribution to insurers offering exchange plans)

Instead of making the CSR payments, we encourage you to push for tax deductibility for all for health insurance. This will provide true tax equity, allow people to purchase their own insurance at an affordable price – and significantly reduce the problem of Americans getting stuck with uninsurable (pre-existing) conditions when they age out of family policies or lose employer-based policies. This problem needs a long-term, highly American, limited-government solution: personal ownership of health insurance.
At its heart, the ACA and the exchanges are a Big Government wage redistribution system. Sen. Max Baucus proclaimed it so in a press conference after the bill passed in 2010: "[The Affordable Care Act] is also an income shift, it’s a shift, a leveling, to help lower income, middle income Americans...This legislation will have the effect of addressing that mal-distribution of income in America because health care is now a right for all Americans and health care is now affordable for all Americans." (March 25, 2010)

But as we know, it is unaffordable. Many people covered today are only covered because of IRS penalties. Approximately 7.8 million people newly enrolled in Medicaid were previously eligible but did not choose to enroll until the ACA mandate threatened them with IRS fines. Another 6.5 million paid the penalty-tax instead. Personal choices and individual control are hallmarks of freedom, but the ACA imposes:

- **Individual Mandate/Penalties**: Unaffordable government-prescribed coverage for all
- **Managed Care for All**: Prohibits catastrophic indemnity coverage for people over the age of 30
- **National Health Care**: Nationalizes enrollment period, benefit requirements, and health plan requirements – and creates a national exchange system to buy coverage (Healthcare.gov)
- **Double Dipping**: Taxes those already hurt by high premiums to subsidize others.
- **Focus on the Few**: Turned over entire system to provide coverage for a few people with uninsurable conditions (115,000 joined ACA Pre-existing Condition Insurance Prog. 2010-2013)
- **Few Choices**: Limits coverage options to the few health plans that survive regulatory onslaught
- **Middle-Class Medicaid**: 83 percent of 12.7 million exchange enrollees received subsidies
- **Bureaucratic Burdens**: Issued more than 40,000 new pages of regulatory documents (so far)

You can begin to restore health freedom today – with or without repeal of the ACA.

With one decision, you can turn the entire health care system 180 degrees away from a national health care system and the patient pain, financial cost, physician distress and loss of medical excellence that are taking place today under the Affordable Care Act.

If you, as President of the United States, refuse to provide insurers with the unlawful CSR subsidies, the exchanges will collapse. This would not eliminate insurance, but it would likely cause states to remember the 10th Amendment and resurrect affordable indemnity policies regardless of what the ACA says.

**Therefore, our request is simple**: Drop the appeal of House vs. Price and refuse to fund the unlawful CSR subsidies. Then tell States they should prepare to return to pre-Obamacare, state-based decision-making.

**We have an associated request**: To speed things along, consider an Executive Order authorizing states to use 1332 waivers to ignore the **unconstitutional** ACA §1302(e) prohibition on selling catastrophic coverage. This one EO will help states exercise the 10th Amendment rights that were taken from them by the ACA and restore the affordable coverage taken away from millions of Americans by the ACA.

Thank you for your consideration. I appreciate your time and attention to this matter of great importance: restoring health freedom now and far into the future.

Sincerely,

Twila Brase, RN, PHN
President and Co-founder