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HOUSE REPUBLICAN STAFF ANALYSIS

Bill: House File 111
Committee: Commerce
Floor Manager: Representative Lance Horbach
Date: February 1, 2011
Staff: Brad Trow (1-3471)

Health Care Freedom Act

House File 111 asserts the state's rights under the 10th amendment to maintain control over health insurance. The bill would also prevent Iowans from being forced to purchase health insurance, as is required in the federal health care bill.

House File 111 is modeled after similar legislation adopted by Virginia in 2009. That language served as part of the basis for Virginia's successful court challenge to the federal health care reform law.

Summary of Action

Committee Action – The Commerce Committee **PASSED** House File 111 on a vote of 17-6 on January 24, 2011.

House Action – The House **ADOPTED** House File 111 on a vote of 59-39 on February 2, 2011.

Senate Action – House File 111 was **ASSIGNED** to the Senate Human Resources Committee.

Section by Section Analysis

Section 1 – Right to Choose Health Care – The section creates a new section in Iowa Code chapter 1, which deals with the sovereignty and jurisdiction of the state of Iowa.

The new section - 1.19 – provides that Iowans have the right to choose private health care systems or private health care plans. The section also states that no law can interfere with an Iowan's right to pay for lawful medical services, and that no law can impose a fee, tax, or penalty upon an Iowan for declining or failing to participate in any particular health care system or plan.

The new section also makes it clear that it is not to be construed to expand, limit, or modify any legal determination as to what is lawful medical services in Iowa.