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HOUSE REPUBLICAN STAFF ANALYSIS

Bill: House File 2
Committee: Commerce
Floor Manager: Representative Lance Horbach
Date: January 14, 2011
Staff: Brad Trow (1-3471)

Health Care Freedom Act

House File 2 asserts the state's rights under the 10th amendment to maintain control over health insurance. The amendment would also allow citizens of Iowa to not be required to purchase health insurance, as is required in the federal health care bill.

House File 2 is modeled after similar legislation adopted by Virginia in 2009.

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.