

# ALEC's Legislative Agenda on Health Care

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On American Legislative Exchange Council task forces, corporate lobbyists and special interests vote as equals with elected representatives on templates to change our laws, behind closed doors with no press or public allowed to see the votes or deliberations. ALEC legislation affecting healthcare for Americans includes proposals to weaken the regulation of medicine by the Food and Drug Administration, privatize Medicare and Medicaid, repeal important laws that expand public access to health care, and bar the families of Americans injured or killed by drugs that are recalled from holding drug companies accountable for the loss of beloved parents, partners, or children. Corporate members of ALEC's Health and Human Services Task Force include Guarantee Trust Life Insurance, Johnson & Johnson, and PhRMA.

## **Deregulating the Health, Pharmaceutical, and Insurance Industries**

- ALEC's "[Resolution Calling for the Reform of the Food and Drug Administration](#)" promotes a potential weakening of FDA review of new drugs and medical therapies. It also limits FDA authority over tobacco and the regulation of drug advertising.
- ALEC's "[Resolution on Negative Impacts of Pharmaceutical Price Controls](#)" opposes all cost controls on prescription drugs.
- ALEC's "[Resolution in Support of the PhRMA Code and Corporate Self-Regulation](#)" opposes binding regulations on sales incentives for doctors to prescribe certain drugs.

## **Weakening Public Health**

- ALEC's "[Prohibition Against Regulation of Nutritional Information Dissemination](#)" opposes requiring corporations and restaurants to provide nutritional information on their food and products.

## **Limiting the Accountability of Drug Companies and Doctors for Injury or Death**

- ALEC's "[Drug Liability Act](#)" would bar lawsuits by families of Americans killed or injured by FDA-approved drugs, even if the drugs are recalled, thus preventing drug companies from being held accountable for the injuries or deaths they cause.
- ALEC's "[Statute of Limitation Reduction Act](#)" would make it harder to sue doctors who negligently caused injuries, illness, or death, requiring the lawsuit be filed within two years after an injury or illness is discovered, or within one year after death occurs. But, sometimes the danger of a drug or product is not known by consumers for years.

## **Privatizing Medicare, Medicaid, and Other Programs to Aid Americans' Health**

- ALEC's "[Resolution Urging Congress to Create Private Individual Medical Accounts](#)" proposes to privatize Medicare by permitting the creation of individual medical accounts. It

is doubtful that such accounts would be able to cover the cost of necessary medical care for seniors, and this bill would probably serve as a tax shelter for the wealthiest few.

- ALEC's "[Resolution to End State-Enabled Newborn Testing Monopolies](#)" urges state legislators to rescind laws and regulatory authority that have made state agencies the providers of clinical laboratory services to detect treatable disorders in newborns.
- ALEC's "[Elimination of Non-Federally Mandated Benefits](#)" would prohibit a state from providing medical services in their Medicaid programs that are not mandated by the federal government. This means that states that provide Medicaid and State Children's Health Insurance Program (CHIP) to the working poor that are slightly above the poverty level to cut their programs back to the federal minimum, and throw poor children out of Medicaid/CHIP protections. In addition, pregnant women could also be thrown out of Medicaid or have reduced benefits.
- ALEC's "[Access to Medicaid Act](#)" replaces the Medicaid system with a voucher system, where participants receive a voucher to purchase insurance from for-profit corporations, and ALEC's "[Optional Medicaid Benefits Evaluation Act](#)" seeks to limit a state's ability to expand healthcare offerings to its low-income residents.

## **Opposing Health Care Reform**

- ALEC's "[Guide to Repeal Obamacare](#)" would repeal the Affordable Care Act, which in return would result in the following:
  - The 2.5 million young adults who were allowed to stay on their parents' health insurance until age 26 would lose their coverage
  - Insurance companies could once again retroactively cancel your coverage when you get sick if they find minor errors on your application
  - The 54 million people who, thanks to the ACA, had access to preventive care without co-pay, coinsurance or deductibles would once again have to pay out of pocket for their colonoscopies, cholesterol screenings, mammograms and other services.
  - Insurance companies will be free to deny coverage to adults and children with pre-existing conditions, and to charge women more than men.
- ALEC's "[Resolution Opposing Employer-Paid Health Care Mandates](#)" opposes efforts by states to mandate that private employers buy health insurance for their employees.
- ALEC's "[Freedom of Choice in Health Care Act](#)" would prohibit the legislature from requiring individuals to purchase health insurance pursuant to federal health reform.