

SENATE RESOLUTION No. 5

DIGEST OF INTRODUCED RESOLUTION

A SENATE RESOLUTION urging Indiana Attorney General Curtis Hill to withdraw Indiana from a lawsuit which is attempting to nullify the Affordable Care Act (ACA) and end federal funding for the Healthy Indiana Plan (HIP) 2.0.

**Tallian, Breaux, Ford J.D., Lanane,
Melton, Mrvan, Niezgodski,
Randolph Lonnie M, Stoops, Taylor G**

January 9, 2020, read first time and referred to Committee on Judiciary.



SENATE RESOLUTION No. 5

MADAM PRESIDENT:

I offer the following resolution and move its adoption:

1 A SENATE RESOLUTION urging Indiana Attorney
2 General Curtis Hill to withdraw Indiana from a lawsuit which
3 is attempting to nullify the Affordable Care Act (ACA) and end
4 federal funding for the Healthy Indiana Plan (HIP) 2.0.

5 *Whereas, Indiana, under the direction of Attorney General*
6 *Curtis Hill, involved Indiana in the Texas v. Azar lawsuit;*

7 *Whereas, In a ruling in Texas v. Azar on Wednesday,*
8 *December 18, 2019, the 5th Circuit Court of Appeals ruled the*
9 *Affordable Care Act's (ACA) individual mandate*
10 *unconstitutional, but failed to rule the entirety of the ACA*
11 *unconstitutional, sending the lawsuit back to the lower court;*

12 *Whereas, Attorney General Hill's and Indiana's*
13 *participation in this lawsuit is threatening Hoosiers' health*
14 *care and Indiana's health insurance program, the Healthy*
15 *Indiana Plan (HIP) 2.0;*

16 *Whereas, HIP 2.0 expanded coverage to more than 400,000*
17 *Hoosiers and HIP members accessed primary and preventative*
18 *care at greater than anticipated rates, including screenings for*
19 *breast and cervical cancer;*



1 *Whereas, Nullifying the ACA would mean Indiana losing*
2 *\$800 million a year in federal funding for HIP 2.0 coverage*
3 *while removing healthcare choices for Hoosiers;*

4 *Whereas, The successful enrollment levels of HIP 2.0 and*
5 *access to prevention programs reduces the cost burden to all*
6 *Hoosiers of uncovered healthcare services;*

7 *Whereas, If the ACA is completely struck down, it will leave*
8 *hundreds of thousands of Hoosiers who rely on HIP 2.0 unable*
9 *to receive affordable health care coverage and provisions*
10 *allowing children to remain on their parents' policy until age*
11 *26, mandating coverage for pre-existing conditions, and*
12 *requiring coverage of essential health benefits will also be*
13 *gone;*

14 *Whereas, Hoosier tax dollars are being utilized in a lawsuit*
15 *that seeks to take away Hoosiers' health care;*

16 *Whereas, Governor Holcomb's administration has already*
17 *submitted paperwork with the federal government to extend the*
18 *HIP 2.0 program for several years; and*

19 *Whereas, Attorney General Hill has no plan or authority to*
20 *offer other health care options for Hoosiers: Therefore,*

21 *Be it resolved by the Senate of the*
22 *General Assembly of the State of Indiana:*

23 SECTION 1. That the Indiana Senate urges Indiana
24 Attorney General Curtis Hill to withdraw Indiana from Texas
25 v. Azar and to end his attacks on HIP 2.0 and Hoosiers'
26 healthcare.

27 SECTION 2. The Secretary of the Senate is hereby directed
28 to transmit a copy of this Resolution to the office of Attorney
29 General Curtis Hill.

