

Last week I introduced a very important piece of legislation that I hope will gain as much or more support as my Audit the Fed bill. HR 4995, the End the Mandate Act will repeal provisions of the newly passed health insurance reform bill that give the government the power to force Americans to purchase government-approved health insurance.

The whole bill is rotten, but this provision especially is a blatant violation of the Constitution. Defenders claim the Congress's constitutional authority to regulate "interstate commerce" gives it the power to do this. However, as Judge Andrew Napolitano and other distinguished legal scholars and commentators have pointed out, even the broadest definition of "regulating interstate commerce" cannot reasonably encompass forcing Americans to engage in commerce by purchasing health insurance.

Not only is it unconstitutional; it is a violation of the basic freedom to make our own decisions regarding how best to meet the health care needs of ourselves and our families.

The new law requires Americans to have what is defined as "minimum essential coverage." Some people may claim that the requirement to have "minimal essential coverage" does not impose an unreasonable burden on Americans. There are two problems with this claim. First, the very imposition of a health

insurance mandate, no matter how “minimal,” violates the principles of individual liberty upon which this country was founded.

Second, the mandate is unlikely to remain “minimal” for long. The experience of states that allow their legislatures to mandate what benefits health insurance plans must cover has shown that politicizing health insurance inevitably makes it more expensive. As the cost of government-mandated health insurance rises, Congress will likely respond by increasing subsidies for more and more Americans, adding astronomically to our debt burden. An insurance mandate undermines the entire principle of what insurance is supposed to measure – risk.

Another likely response to rising costs is the imposition of price controls on medical treatments, and limits on what procedures and treatments mandatory insurance will have to reimburse. This is happening in other countries where government is intrinsically involved in these decisions and people suffer and die because of it.

This will only increase the bottom line of the very insurers the legislation was supposed to control. Meanwhile, alternate methods of healthcare delivery and financing, such as concierge doctors, alternative medicine, or physician owned

hospitals will be greatly harmed, if not put out of business altogether, when the entire country is forced into the insurance model.

It will be difficult for families to come up with extra money to pay for alternate healthcare of their choice when their budget has been squeezed by this mandate to buy insurance.

This will in turn reduce competition for healthcare dollars.

Health insurers, like many other corporations in other industries, have now used the legislative process anti-competitively to corner the healthcare market.

Instead of calling this socialized medicine, we should call it corporatized medicine, since the reform is to force us all into being customers of these corporations, whether we like it or not.

Congress made a grave error by forcing all Americans to purchase health insurance. The mandate violates fundamental principles of individual liberty, and will lead to further government involvement in health care. It is time for legislation that fights back for the freedom of the people on this issue.

It is time to End the Mandate.