



## South Carolina House of Representatives

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May 5, 2015

The Honorable John A. Boehner  
Speaker of the House of Representatives  
1011 Longworth House Office Building  
Washington, DC 20515

The Honorable Addison Mitchell McConnell, Jr.  
Majority Leader of the Senate  
317 Russell Senate Office Building  
Washington, DC 20510

Dear Mr. Speaker / Mr. Majority Leader:

The United States Supreme Court will soon issue its ruling in the *King v. Burwell* case challenging the legality of an Internal Revenue Service rule that distributes taxpayer-funded subsidies to enrollees in health plans administered through federally-run insurance exchanges created by the Patient Protection and Affordable Care Act, commonly known as ObamaCare.

Our own state of South Carolina declined to establish and fund a state-run exchange. We were unwilling to subject taxpayers to the millions in added costs and expanded bureaucracy associated with creating one. Our decision has been validated many times over. In just the recent past, New Mexico, Nevada, and Oregon have all abandoned their state exchanges and defaulted to HealthCare.gov.

**Regardless of the Court's decision in *King v. Burwell*, we do not intend to create a state exchange.** Our constituents are not interested in the massive costs that would turn South Carolina into another ObamaCare state.

We are sympathetic to the HealthCare.gov exchange enrollees currently receiving subsidies the Court may deem illegal. It is unfortunate those patients, and our neighbors, might be put into yet another difficult position because of an ill-conceived, poorly-written law and the IRS's poor interpretation of it.

**That is why we are urging you and your colleagues in Congress to seize the opportunity, should it occur after a decision, to reconsider or reexamine ObamaCare.**

If subsidies for federal exchanges are ruled illegal, you will have to act. What you do will have long-lasting implications for families and taxpayers in every state, including South Carolina.

Health care is profoundly personal and our constituents have no interest in seeing Washington politicize it once again. They want freedom, flexibility and peace of mind they can access affordable care when they need it. They want reforms that help everybody. They do not want ObamaCare 2.0.

We encourage you to open up ObamaCare and make changes that would allow South Carolina to:

- 1) Purchase the health plans they want—including plans available pre-ObamaCare in addition to the ones currently sold—not just what Washington tells them they should have.
- 2) Purchase coverage whenever they choose, not just when Washington decides to host open enrollment.
- 3) Have subsidies that can be used for any health plan that meets their needs, instead of being forced to use subsidies only for exchange plans.

The Court's *King v. Burwell* decision could be the catalyst for change that so many of us hoped for. But the challenge is on Congress to seize that opportunity and fix it.

We believe you are up to the job.

Sincerely,

<u>Jim M. Badyfukel Dist 20</u>	<u>Paul Stens Dist. 27</u>
<u>David Hunter District 20</u>	<u>Tommy Dyer Dist 18</u>
<u>V. Heath Moore Dist 30</u>	<u>Bill Humbley Dist 35</u>
<u>Mike Bunn D 17</u>	<u>St. Julian P. 21</u>
<u>Wendy Nancey D 22</u>	<u>Mac Toole D. 88</u>
<u>Jack Stwater SC-87</u>	<u>Cliff Huggins D. 85</u>
<u>Lal Nanna #8</u>	<u>Ray Jean D. 26</u>
<u>J. Hill #8</u>	<u>Shannon A. Erich District 124</u>



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cc: The Honorable Andrew Lamar Alexander  
United States Senate

The Honorable John Anthony Barrasso, III  
United States Senate

The Honorable Orrin Grant Hatch  
United States Senate

The Honorable John Paul Kline, Jr.  
House of Representatives

The Honorable Paul Davis Ryan  
House of Representatives

The Honorable Frederick Stephen Upton  
House of Representatives

The South Carolina Congressional Delegation