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5-3/15/00 *Do Pass*

5-4/4/00 *Adopted*
Laid Over Under Rule 25

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HOUSE CONCURRENT RESOLUTION NO.

BY JOHNSON

A Concurrent Resolution relating to support of the State of Minnesota's lawsuit against the federal government and the United States Secretary of Health and Human Services regarding disparate funding under the federal Medicare program.

WHEREAS, the federal Medicare program was established in 1965 to provide uniform health care benefits and services to the elderly and certain persons with disabilities; and

WHEREAS, beneficiaries of the federal Medicare program contribute in equal percentages, based on earnings, to the funding of the federal Medicare program; and

WHEREAS, beginning in 1972, Congress amended the federal Social Security Act to utilize managed care principals in the federal Medicare program; and

WHEREAS, these changes have resulted in the use of a reimbursement formula that has transformed a nondiscriminatory, uniform national program into a program in which the availability, cost, and scope of additional health benefits available to participants in a federal Medicare managed care health plan vary drastically, depending upon the county and state in which the beneficiary resides, despite the fact that all beneficiaries still contribute in equal percentages to the funding of the program; and

WHEREAS, congressional efforts to eliminate the disparity in rates paid and in health care benefits

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1 and services provided have failed to eliminate the
2 disparity in the federal Medicare program under
3 managed care; and

4 WHEREAS, the Attorney General of Minnesota has
5 filed a lawsuit on behalf of the State of Minnesota
6 claiming that the federal Medicare program is
7 violative of the Constitution of the United States on
8 the bases of constitutionally protected state
9 sovereignty, equal protection, and the right to
10 travel; NOW THEREFORE,

11 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
12 SENATE CONCURRING, That the Iowa General Assembly
13 supports the efforts of the Attorney General of
14 Minnesota on behalf of the State of Minnesota and
15 supports the plaintiff's prayer for declaratory and
16 injunctive relief in declaring the federal Medicare
17 managed care payment scheme violative of
18 constitutionally protected state sovereignty, equal
19 protection, and the right to travel, and in enjoining
20 the portion of the federal Medicare managed care
21 funding scheme that results in discriminatory, unequal
22 funding disparities.

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