

SESSION OF 2011

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2129

As Recommended by House Committee on
Health and Human Services

Brief*

HB 2129 would enact the Health Care Freedom Act, which would codify the individual right of Kansas residents to choose to purchase or refuse to purchase health insurance. The bill would state that the government is prohibited from enacting a law that would restrict these rights or punish residents for exercising either of these rights. The bill would further state that no provision of the Health Care Freedom Act could render a state resident liable for any type of penalty as a result of that resident's failure to purchase health insurance coverage. Finally, the bill would deem any law to the contrary as null and void.

The bill would be in effect upon publication in the *Kansas Register*.

Background

In March 2010, Congress enacted the federal health reform law. Referred to as the Affordable Care Act, this law contains a provision requiring certain individuals to have a minimum level of health insurance. Covered individuals who fail to maintain sufficient coverage would be subject to a financial penalty beginning in 2014.

Testimony in support of the bill was received from Senator Mary Pilcher-Cook; representatives of the Kansas Chamber, the National Federation of Independent Business,

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

the American Legislative Exchange Council; one practicing physician; and one retired attorney.

There was no testimony opposing the bill.

No fiscal note was available at the time of the hearing.