



A NATIONWIDE PUBLIC INTEREST RELIGIOUS CIVIL LIBERTIES LAW FIRM

1055 Maitland Center Cmns.
Second Floor
Maitland, Florida 32751
Tel: 800•671•1776
Fax: 407•875•0770
www.LC.org

1015 Fifteenth St. N.W.
Suite 1100
Washington, DC 20005
Telephone: 202•289•1776
Facsimile: 202•216•9656

100 Mountain View Road
Suite 2775
Lynchburg, Virginia 24502
Tel: 434•592•7000
Fax: 434•592•7700
liberty@LC.org

Obama Administration's Health Care Plan

[HR 3200](#) currently under consideration in the House of Representatives

Reviewed, revised and adapted on July 29, 2009, by Liberty Counsel from the original authored by Peter Fleckenstein and posted on FreeRepublic.com and his blog, <http://blog.flecksoflife.com>.

- Sec. 113, Pg 21-22 of the Healthcare (HC) Bill MANDATES a government audit of the books of ALL EMPLOYERS that self insure in order to “ensure that the law does not provide incentives for small and mid-size employers to self-insure”!
- Sec. 122, Pg 29, lines 4-16 - YOUR HEALTHCARE WILL BE RATIONED!
- Sec. 123, Pg 30 - THERE WILL BE A GOVERNMENT COMMITTEE deciding what treatments and benefits you get.
- Sec. 142, Pg 42 - The Health Choices Commissioner will choose your benefits for you. You have no choice!
- Sec. 152, Pg 50-51 - HC will be provided to ALL NON-US citizens.
- Sec. 163, Pg 58-59 beginning at line 5 - government will have real-time access to individual's finances & a National ID Health care card will be issued!
- Sec. 163, Pg 59, lines 21-24 - government will have direct access to your banks accounts for electronic funds transfer.
- Sec. 164, Pg 65 is a payoff subsidized plan for retirees and their families in unions & community organizations (ACORN).
- Sec. 201, Pg 72, Lines 8-14 - government is creating an HC Exchange to bring private plans under government control.

- Sec. 203, Pg 84 - government mandates ALL benefit packages for private Health Care plans in the exchange.
- Sec. 203, Pg 85, Line 7 - Specifications of benefit levels for plans means that the government will define your HC plan and has the ability to ration your healthcare!
- Sec. 205, Pg 95, Lines 8-18 - The government will use groups (i.e., ACORN & AmeriCorps) to “inform and educate” (sign up) individuals for government plan.
- Sec. 205, Pg 102, Lines 12-18 - Medicaid eligible individuals will be automatically enrolled in Medicaid. No freedom to choose.
- Sec. 223, Pg 124, Lines 24-25 - No company can sue the government for price-fixing. No “administrative of judicial review” against a government monopoly.
- Sec. 225, Pg 127, Lines 1-16 – Doctors and the government will tell YOU what you can make. “The Secretary shall provide for the annual participation of physicians under the public health insurance option, for which payment may be made for services furnished during the year.”
- Sec. 312, Pg 145, Line 15-17 - Employers MUST auto-enroll employees into public option plan.
- Sec. 313, Pg 149, Lines 16-2 - ANY Employer with payroll \$400,000 and above who does not provide public option pays 8% tax on all payroll.
- Sec. 313, Pg 150, Lines 9-13 - Businesses with payroll between \$251,000 and \$400,000 who do not provide public option pay 2-6% tax on all payroll.
- Sec. 401.59B, Pg 167, Lines 18-23 - ANY individual who does not have acceptable care, according to government, will be taxed 2.5% of income.
- Sec.59B, Pg 170 Lines, 1 - Any NONRESIDENT alien is exempt from individual taxes. (Americans will pay for their healthcare.)
- Sec. 431, Pg 195, Lines 1-3 - Officers and employees of HC Administration (government) will have access to ALL Americans financial and personal records.
- Sec. 441, Pg 203, Lines 14-15 - “The tax imposed under this section shall not be treated as tax” Yes, it says that.

- Sec. 1121, Pg 239, Line 14-24 – The government will limit and reduce physician services for Medicaid. Seniors, low income and poor are the ones affected.
- Sec. 1121, Pg 241, Line 6-8 - Doctors, it does not matter what specialty you have; you'll all be paid the same. "Service categories established under this paragraph shall apply without regard to the specialty of the physician furnishing the service."
- Sec. 1122, Pg 253, Line 10-18 – The government "validates relative value unit's" (sets value of doctor's) time, professional judgment, methods etc. (defining the value of humans).
- Sec. 1131, Pg 265 - Government mandates and controls productivity for private HC industries. "Incorporating Productivity Improvements into Market Basket Updates that Do Not Already Incorporate Such Improvements."
- Sec. 1141, Pg 268 – The government regulates rental and purchase of power-driven wheelchairs.
- Sec. 1145, Pg 272 - Treatment of certain cancer hospitals: Cancer patients and their treatment are open to rationing!
- Sec. 1151, Page 280 - The government will penalize hospitals for what government deems preventable readmissions. (Incentives for hospital to not treat and release.)
- Sec. 1151, Pg 298, Lines 9-11 - Doctors, treat a patient during initial admission that results in a readmission and the government will penalize you for that action.
- Sec. 1156, Pg 317, Line 13-20 - "PROHIBITION on physician ownership or Investment." government tells doctors what/how much they can own.
- Sec. 1156, Pg 317-318, Lines 21-25, 1-3 - "PROHIBITION on Expansion of Facility Capacity." The government will mandate that hospitals cannot expand ("number of operating rooms or beds").
- Sec. 1156, Pg 321, Lines 2-13—Hospitals have opportunity to apply for exception BUT community input required.
- Sec. 1162, Pg 335-339, Lines 16-25 – The government mandates establishment of outcome based measures. Rationing.
- Sec. 1162, Pg 341, Lines 3-9 - The government has authority to disqualify Medicare Advantage Plans (Part B), HMOs, etc. This will force people into a government plan.

“The Secretary may determine not to identify a Medicare Advantage plan if the Secretary has identified deficiencies in the plan’s compliance with rules for such plans under this part.”

- Sec. 1177, Pg 354 - Government will RESTRICT enrollment of Special needs people! “Extension of Authority of Special Needs Plans to Restrict Enrollment.”
- Sec. 1191, Pg 379 - Government creates more bureaucracy – “Telehealth Advisory Committee.” HC by phone or the Internet – dial 1 for your healthcare advise?
- Sec. 1233, Pg 425, Lines 4-12 - Government mandates Advance (Death) Care Planning consultation. Think Senior Citizens and end of life. END OF LIFE COUNSELING. SOME IN THE ADMINISTRATION HAVE ALREADY DISCUSSED RATIONING HEALTH CARE FOR THE ELDERLY.
- Sec. 1233, Pg 425, Lines 17-19 - Government WILL instruct and consult regarding living wills and durable powers of attorney. Mandatory end-of-life planning!
- Sec. 1233, Pg 425-426, Lines 22-25, 1-3 - Government provides approved list of end of life resources, guiding you in death.
- Sec. 1233, Pg 427, Lines 15-24 - Government mandates program for orders for life-sustaining treatment (i.e. end of life). The government has a say in how your life ends.
- Sec. 1233, Pg 429, Lines 1-9 - An “advanced care planning consult” will be used as patient’s health deteriorates.
- Sec. 1233, Pg 429, Lines 10-12 - “Advanced Care Consultation” may include an ORDER for end of life plans – from the government.
- Sec. 1233, Pg 429, Lines 13-25 – The government will specify which Doctors (professional authority under state law includes Nurse Practitioners or Physician’s Assistants) can write an end of life order.
- Sec. 1233, Pg 430, Lines 11-15 - The government will decide what level of treatment you will have at end of life according to pre-set methods (not individually decided).
- Sec. 1302, Pg 468, Lines 16-21 - “Community Based Home Medical Services means a non-profit community-based of state-based organization.”

- Sec. 1302, Pg 472, Lines 14-17 - PAYMENT TO COMMUNITY-BASED ORGANIZATION: One monthly payment to a community-based organization. Like ACORN?
- Sec. 1308, Pg 489 - The government will cover Marriage and Family therapy. This will involve government control of your marriage.
- Sec. 1308, Pg 494-498 - The government will cover Mental Health Services including: defining, creating and rationing those services.
- Sec. 1401, Pg. 502 - Center for Comparative Effectiveness Research Established. Big Brother is watching how your treatment works.
- Sec. 1401, Pg 503, Lines 13-19 – The government will build registries and data networks from YOUR electronic medical records. “The Center may secure directly from any department or agency of the United States information necessary to enable it to carry out this section.”
- Sec. 1401, Pg 503, Lines 21-25 - The government may secure data directly from any department or agency of the US including your data.
- Sec. 1401, Pg 503, Lines 21-25 - The “Center” will collect data both “published and unpublished” (that means public & your private information).
- Sec. 1401, Pg 506, Lines 19-21 - An “Appointed Clinical Perspective Advisory Panel” will advise The Center and recommend policies that would allow for public access of data.
- Sec. 1401, Pg 518, Lines 21-25 - The Commission will have input from HC consumer representatives.
- Sec. 1411, Pg 524, Lines 18-22 - Establishes the “Comparative Effectiveness Research Trust Fund.” More taxes for ALL.
- Sec. 1441, Pg 621, Lines 20-25 – The government will define “NEW Quality” measures in HC. Since when does government know about quality?
- Sec. 1442, Pg 622, Lines 2-9 - To pay for the Quality Standards, government will transfer money from “qualified entities” (government Trust Funds) to other government Trust Funds. More Taxes.

- Sec. 1442, Pg. 624, Lines 19-23 - Qualified Entities: “The Secretary shall ensure that the entity is a public, nonprofit or academic institution with technical expertise in the area of health quality measurement.”
- Sec. 1442, Pg 623, Lines 5-10 - “Quality” measures shall be designed to assess outcomes and functional status of patients.
- Sec. 1442, Pg 623, Lines 15-17 - “Quality” measures shall be designed to profile you including race, age, gender, place of residence, etc.
- Sec. 1443, Pg 628 The government will give “Multi-Stake Holders” pre-rulemaking input into selection of “quality” measures.
- Sec. 1443, Pg 630-31. Lines 9-24, 1-9—Those Multi-Stake Holder groups include. Unions and groups like ACORN deciding what constitutes quality.
- Sec. 1444, Pg 632, Lines 14-25 - The government may implement any “Quality measure” of HC services as that bureaucrats see fit.
- Sec. 1444, Pg 632-333, 14-25, 1-9 - The Secretary may issue non-endorsed “Quality Measures” for physician and dialysis services.
- Sec. 1251 (beginning), Pg 634 to 652 - “Physician Payments Sunshine Provision” – government wants to shine sunlight on Doctors but not government. “Reports on financial relationships between manufacturers and distributors . . . and between physicians and other health care entities.”
- Sec. 1501 (beginning), Pg 659-670 - Doctors in Residency – government will tell you where your residency will be, thus where you’ll live.
- Sec. 1503 (beginning), Pg 675-685 - government will regulate hospitals in EVERY aspect of residency programs, including teaching hospitals.
- Sec. 1601 (beginning), Pg 685-699 - Increased funding to fight waste, fraud, and abuse. (Like the government with an \$18 million website?)
- Sec. 1619, Pgs 700-703 - If your part of HC plan isn’t in the government’s HC Exchange, but you qualify for federal aid, you don’t have to pay.
- Sec. 1128G, Pg 704-708 - If the Secretary determines there is a “significant risk of fraudulent activity,” on HC provider or supplier, the government can do a background check.

- Sec. 1632, Pg 710, Lines 8-14 - The Secretary has broad powers to deny HC providers and suppliers admittance into HC Exchange. Your doctor could be thrown out of business.
- Sec. 1637, Pg 718-719 - ANY Doctor who orders durable medical equipment or home medical services are REQUIRED to be enrolled in, or eligible for, Medicare.
- Sec. 1639, Pg 721 - Government MANDATES that Doctors must have face to face with patient to certify patient for home health services.
- Sec. 1639, Pg 723-24, Lines 23-25, 1-5—The same government certifications will apply to Medicaid and CHIP (Children’s health plan: Your kids).
- Sec. 1640, Pg 723, Lines 16-22 – The government reserves right to apply face to face certification for patient to ANY other HC service.
- Sec. 1651, Pg 734, Lines 16-25 - Proposes, for law enforcement sake, that the Secretary of HHS will give Attorney General access to ALL medical data.
- Sec. 1701 (beginning), Pg 739-756 – The government sets guidelines for subsidizing the uninsured (and you have to pay for them).
- Sec. 1704, Pg 756-761 – The government will shift burden of payments to Disproportionate Share Hospitals (DSH) to states (your taxes).
- Sec. 1711, Pg 764 The government will require preventative services - including vaccinations (no choice).
- Sec. 1713, Pg 768 – Government-determined Nurse Home Visitation Services (Hello union paybacks).
- Sec. 1713, Pg 768, Lines 3-5—Nurse Home Visit Services – Service #1: “Improving maternal or child health and pregnancy outcomes or increasing birth intervals between pregnancies.” Compulsory ABORTIONS?
- Sec. 1713, Pg 768, Lines 11-14 - Nurse Home Visit Services include determinations of economic self-sufficiency, employment advancement and school-readiness.
- Sec. 1714, Pg 769 - Federal government mandates eligibility for State Family Planning Services. Abortion and government control intertwined.

- Sec. 1733, Pg 788-798 - government will set and mandate drug prices, therefore controlling which drugs are brought to market. (Goodbye innovation and private research.)
- Sec. 1744, Pgs 796-799 - Establishes PAYMENTS for graduate medical education. The government will now control your doctor's education.
- Sec.1751, Pg 800 Sec 1751 - The government will decide which Health Care conditions will be paid. Say "RATION!"
- Sec. 1759, Pg 809 - Billing Agents, clearinghouses, or other alternate payees are required to register. The government takes over private payment systems too.
- Sec. 1801, Pg 819-823 – The Government will identify individuals "likely to be ineligible" for subsidies. Will access all personal financial information.
- Sec. 1802, Pg 823-828 - Government sets up Comparative Effectiveness Research Trust Fund. Another bottomless tax pit.
- Sec. 4375, Pg 828-832, Lines 12-16 - Government will impose a fee on ALL private health insurance plans including self-insured to pay for Trust Fund!
- Sec. 4377, Pg 835, Lines 11-13 - Fees imposed by government for Trust Fund shall be treated as if they were taxes.
- Sec. 440, Pg 837-839 – The government will design and implement Home Visitation Program for families with young kids and families that are expecting children.
- Sec. 1904, Pg 843-844—This Home Visitation Program includes the government coming into your house and teaching/telling you how to parent!
- Sec. 2002, Pg 858 – The government will establish a Public Health Fund at a cost of \$88,800,000,000 (That's Billions).
- Sec. 2201, Pg 864 - The government will MANDATE the establishment of a National Health Service Corps.
 - Sec. 2201 - "Fulfillment of Obligated Service Requirement"
 - Sec. 2201, Pg 864-875 - The NHS Corps is a program where Doctors perform mandatory HC for 2 years for partial loan repayment.
- Sec. 2212, Pg 875-891 - The government takes over the education of Medical students and Doctors through education and loans.

- Sec. 340L, Pg 897 - The government will establish a Public Health Workforce Corps to ensure an adequate supply of public health professionals.
- Sec. 340L, Pg 897 - The Public Health Workforce Corps shall consist of civilian employees of the United States as Secretary deems necessary.
- Sec. 340L, Pg 897 - The Public Health Workforce Corps shall consist of officers of Regular and Reserve Corps of Service.
- Sec. 340M, Pg 899 - The Public Health Workforce Corps includes veterinarians. Will animals have health care, too?
- Sec. 2233, Pg 909 - The government will develop, build and run Public Health Training Centers.
- Sec. 2241, Pg 912-913 - Government starts a HC affirmative action program under the guise of diversity scholarships.
- Sec. 2251, Pg 915 - Government MANDATES cultural and linguistic competency training for HC professionals.
- Sec. 3111, Pg 931 - The government will establish a Preventative and Wellness Trust fund, with initial cost of \$30,800,000,000 (Billions more).
- Sec. 3121, Pg 934, Lines 21-22 - Government will identify specific goals and objectives for prevention and wellness activities. More control of your life.
- Sec. 3121, Pg 935, Line 1-2 The government will develop “Healthy People & National Public Health Performance Standards.” They will tell us what to eat?
- Sec. 3131, Pg 942, Lines 22-25 - “Task Force on Community Preventive Services,” More government? Under the Offices of Surgeon General, Public Health Services, Minority Health and Women’s Health.
- Sec. 3141, Pg 949-979 - BIG GOVERNMENT core public health infrastructure includes workforce capacity, lab systems, health information systems, etc.
- Sec. 2511, Pg 992 - Government will establish school based “health” clinics. Your children will be indoctrinated and your grandchildren may be aborted!

- Sec. 399Z-1, Pg 993 - School Based Health Clinics will be integrated into the school environment. More government brainwashing in school.
- Sec. 2521, Pg 1000 - The government will establish a National Medical Device Registry. Will you be tracked?