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HOUSE BILL 1804

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State of Washington

62nd Legislature

2011 Regular Session

By Representatives Schmick, Shea, Bailey, Warnick, Condotta, Hinkle, Angel, Kristiansen, McCune, and Fagan

Read first time 02/02/11. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to the use of state resources for planning or  
2 implementation of federal health care reform; adding a new section to  
3 chapter 41.05 RCW; adding a new section to chapter 43.20A RCW; adding  
4 a new section to chapter 43.41 RCW; adding a new section to chapter  
5 43.70 RCW; and creating a new section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

8 (a) On March 23, 2010, President Barack Obama signed into law the  
9 patient protection and affordable care act and the health care and  
10 education reconciliation act of 2010, collectively known as the  
11 affordable care act;

12 (b) The affordable care act requires massive new spending  
13 commitments at a time when the growing federal government debt  
14 threatens private sector economic growth. Revenue to pay for the  
15 affordable care act is based on increased taxes and fees coupled with  
16 unrealistic assumptions regarding purported future cost-savings;

17 (c) Uncertainty surrounds the future of the affordable care act.  
18 Several lawsuits have been filed by state attorneys general challenging  
19 the constitutionality of some provisions of the affordable care act.

1 Furthermore, the November 2, 2010, elections resulted in the  
2 Republicans becoming the majority party in the United States house of  
3 representatives and in gaining seats in the United States senate. The  
4 composition of the new United States congress, coupled with the  
5 public's opinion of the affordable care act and the large federal  
6 deficit, may result in the repeal of or significant changes to the  
7 affordable care act;

8 (d) In its present form, many of the provisions in the affordable  
9 care act will require state action and state resources to implement.  
10 As currently written, the majority of requirements in the affordable  
11 care act are not effective until 2014; and

12 (e) The state currently has a multibillion dollar deficit projected  
13 for the 2011-2013 budget, which will likely result in reductions in  
14 current health care programs.

15 (2) The legislature intends to prohibit state agencies and the  
16 executive branch from spending any state resources on the  
17 implementation of the affordable care act, unless the federal  
18 government is providing one hundred percent funding or the effective  
19 date of the provision of the law is within six months.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.05 RCW  
21 to read as follows:

22 Until July 1, 2013, the authority is prohibited from spending any  
23 state funds on either planning or implementation of the patient  
24 protection and affordable care act, P.L. 111-148, as amended by the  
25 health care and education affordability and reconciliation act of 2010,  
26 P.L. 111-152.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.20A RCW  
28 to read as follows:

29 Until July 1, 2013, the secretary is prohibited from spending any  
30 state funds on either planning or implementation of the patient  
31 protection and affordable care act, P.L. 111-148, as amended by the  
32 health care and education affordability and reconciliation act of 2010,  
33 P.L. 111-152.

34 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.41 RCW  
35 to read as follows:

1       Until July 1, 2013, the director is prohibited from spending any  
2 state funds on either planning or implementation of the patient  
3 protection and affordable care act, P.L. 111-148, as amended by the  
4 health care and education affordability and reconciliation act of 2010,  
5 P.L. 111-152.

6       NEW SECTION. **Sec. 5.** A new section is added to chapter 43.70 RCW  
7 to read as follows:

8       Until July 1, 2013, the secretary is prohibited from spending any  
9 state funds on either planning or implementation of the patient  
10 protection and affordable care act, P.L. 111-148, as amended by the  
11 health care and education affordability and reconciliation act of 2010,  
12 P.L. 111-152.

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