



## **SPECIAL ISSUE BRIEF FOR 2006 NCLC**

UPDATED MARCH 23, 2006

# **Defeat Legislation (S.1955) That Would Cripple Important State Enacted Consumer Protections**

### ***BACKGROUND:***

Legislation (*S.1955 – Enzi-Nelson(NE)-Burns Small Business Health Plans*) approved by the Senate Health, Education, Labor, and Pensions (HELP) Committee March 15, 2006 on a party line vote is fundamentally flawed and should be defeated. S.1955's blanket preemption of important state-enacted consumer protections renders the legislation completely unacceptable.

Additionally, enactment of S.1955 would:

- Result in "risk selection," which would ultimately lead to insurance that is unaffordable for many consumers;
- Result in the proliferation of health plans that do not cover basic and preventive service such as annual physicals, mammography, colonoscopies, diabetic services and supplies, newborn coverage and other documented positive therapies, including treatment for mental health disorders;
- Result in consumers losing protections that many have today against unfair claims and handling practices;
- Result in significant rate increases for consumers, while failing to resolve the core issues impacting health plan affordability; and
- Seriously fragment the insurance market – resulting in the creation of two tiers of insurance: one for younger, healthy groups and another for all remaining consumers whose coverage will be far more expensive than it is today, making health insurance even less affordable for many small businesses that employ an average mix of employees, with respect to age, gender, and other demographic factors.

(over)

## ***BROAD OPPOSITION TO S.1955:***

S.1955 is opposed by a broad and growing coalition of diverse groups including: American Cancer Society, American Diabetes Association, Brain Injury Association of America, United Cerebral Palsy, National Mental Health Association, American Academy of Pediatrics, American Nurses Association, National Multiple Sclerosis Society, National Conference of Insurance Legislators, various state insurance commissioners and many others.

## ***ACTION REQUESTED:***

Members of the U.S. Senate are urged to strongly oppose enactment of S.1955.

Enactment of S. 1955 would be so harmful to consumers, that Members of the Senate should filibuster the bill, if necessary, in order to prevent its passage.

Members of the Senate should not only oppose S. 1955 -- but also strongly oppose any legislative proposal (including AHP's – Association Health Plans) that would preempt state enacted consumer protections.

## **For Additional Information Please Contact:**

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