

Press Release



HOLTZ-EAKIN LEADS 215 ECONOMISTS AND EXPERTS IN AMICUS BRIEF AGAINST PPACA

FEBRUARY 14, 2012

Brief Highlights Flawed Justification For Individual Mandate

WASHINGTON – The American Action Forum today filed its [third amicus brief](#) in the Supreme Court of the United States in support of the case to overturn the Patient Protection and Affordable Care Act. [The brief](#), signed by 215 experts including 2 Nobel Laureates, dissects the flawed economic logic used by the administration to justify the individual mandate.

In the Patient Protection and Affordable Care Act, Congress asserted the authority to compel individuals to participate in the market for health insurance, an unprecedented expansion of its power. To justify this, the administration pursued a line of reasoning and data purportedly displaying the uniqueness of the healthcare market and the economic impact of those currently not participating. The Forum demonstrates the inaccuracy of that argument, and also informs the true impact of the law and the unfair cost-shifting it will force.

The Forum filed a similar brief for this case in the 11th Circuit Court of Appeals. The Circuit Court ruled in favor of the plaintiffs citing the Forum's brief several times in its decision. Forum President Douglas Holtz-Eakin and the Forum's Director of Healthcare Policy, Michael Ramlet issued the following statements regarding the brief:

“From an administration that has a track record of relying on accounting gimmicks and politically motivated policy, flawed numbers to justify the Affordable Care Act should surprise no one,” said Holtz-Eakin. “The president’s trademark legislation is falling apart at the seams, not because of obstruction or partisanship, but because it is simply bad policy. The 11th Circuit Court of Appeals saw the merit in this brief, citing it numerous times in the Court’s ruling and I expect the Supreme Court will do the same because facts are facts.”

“The government’s claim that the voluntarily uninsured, by staying out of the market, impose \$43 billion in uncompensated costs has no basis in fact,” said Ramlet. “Additionally, the government’s claim that the healthcare industry is unique dramatically overstates the distinctive characteristics of the industry, most of

which are routinely found in varying degrees in many other markets.”

[Click here to read the brief.](#)

#