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March 22, 2010

The Honorable Greg Zoeller
Attorney General
Office of the Attorney General
Indiana Government Center South
302 W. Washington St., 5th Floor
Indianapolis, IN 46204

Dear Attorney General Zoeller:

I strongly urge your office to give strong consideration to filing a lawsuit to block enactment of the "Patient Protection and Affordable Care Act" (H.R. 3590) in Indiana on the basis that the bill is an unconstitutional infringement of the rights of the State and people of Indiana as stipulated by the United States Constitution.

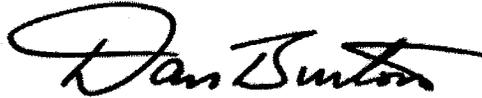
The individual mandate provisions in the bill infringe on Indiana's rights under the U.S. Constitution. The requirement that residents purchase healthcare insurance goes far beyond the Federal government's enumerated power in Article I, Section 8: "To regulate Commerce.... among the several States." Consequently, the bill violates the requirements of Article X which reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Should the "Patient Protection and Affordable Care Act" become law it will have a devastating impact upon Hoosiers. Through the massive expansion of Medicaid, half a million (500,000) new Hoosiers would become eligible for the program, costing Hoosier taxpayers billions more in State taxes. In addition, the Healthy Indiana Plan (HIP) would be eliminated as the new Federal rules would force the 45,000 families who are currently covered by the program into the Medicaid fee-for-service program, losing the cost savings and quality advantages of the consumer-driven health care model. Furthermore, Hoosiers who currently have health insurance will pay higher premiums – the Congressional Budget Office estimates an average increase nationally of \$2,100 for some families, and a study of the effects in Indiana showed premium increases ranging up to 78%.

This bill will also have a devastating impact upon jobs and Hoosier business. The growing and job-creating life sciences sector in Indiana will be crushed by the bill's huge new tax increases: at least \$20 Billion for the device manufacturers and \$90 Billion for pharmaceutical companies. And finally, the job killing tax of \$2,000 per employee will be levied on many Hoosier companies which simply cannot afford or choose not to provide the government-defined "acceptable" coverage to their employees.

On behalf of the Hoosiers I am privileged to represent in the U.S. House of Representatives, I respectfully ask you to do whatever you can in your power to protect and defend their Constitutional rights by filing suit to block the "Patient Protection and Affordable Care Act"

Sincerely,

A handwritten signature in black ink that reads "Dan Burton". The signature is written in a cursive, flowing style with a large initial "D".

Dan Burton
Member of Congress