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Subject: Media Statement -- McCollum announces legal review of individual mandate in federal health care legislation

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McCOLLUM ANNOUNCES LEGAL REVIEW OF INDIVIDUAL MANDATE IN FEDERAL HEALTH CARE LEGISLATION

TALLAHASSEE, FL -- Florida Attorney General Bill McCollum today issued the following statement about the federal health care legislation:

"The health care legislation moving through Congress is troubling for several reasons including its big government approach, its tremendous cost to taxpayers, and ultimately its mandates on Floridians. Most concerning is the individual mandate that a person must pay a fine or tax if he or she does not obtain federally required health care insurance.

"I have grave concerns about the constitutionality of this mandate. Such a 'living tax' is worrisome because it would be levied on a person who does nothing, a person who simply wishes not to be forced to buy health insurance coverage. Upon initial review, this appears to be contrary to the freedoms we, as Americans, have enjoyed for the past 233 years. The mandate is especially troubling to Floridians who are guaranteed through the Florida Constitution to have 'the right to be let alone and free from governmental intrusion into [their] private life.'

"Given these concerns, my office will conduct a review of the constitutionality of the health care bill's individual mandate, specifically in regards to the Commerce Clause and Taxing Power set forth in the U.S. Constitution, and will evaluate Florida's legal options. I have also written to my fellow Attorneys General encouraging them to join my office in this review."

Last week, Florida State Representatives Hayes, Plakon and Precourt also raised questions about whether the provisions in the health care bill were constitutional and shared their concerns with the Attorney General.

Additionally, Attorney General McCollum will join several Attorneys General who are evaluating the constitutionality of a U.S. Senate bill provision that provides 100% federal Medicaid funding to only one state, Nebraska, without similar funding going to states like Florida.

A copy of the letter sent to the Attorneys General is available online at:
[http://myfloridalegal.com/webfiles.nsf/WF/MRAY-7Z7NLV/\\$file/HealthCareLetter.pdf](http://myfloridalegal.com/webfiles.nsf/WF/MRAY-7Z7NLV/$file/HealthCareLetter.pdf)

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