



C.L. "BUTCH" OTTER
GOVERNOR

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GOVERNOR'S EXECUTIVE ORDER PROHIBITS STATE AGENCIES FROM IMPLEMENTING OBAMACARE

(BOISE) – Governor C.L. "Butch" Otter issued an executive order today imposing a State prohibition on receiving federal funding for or otherwise implementing the federal Patient Protection and Affordable Care Act – often called "Obamacare."

Executive Order 2011-03 uses portions of House Bill 298, a so-called "nullification bill" that was approved by the Legislature this year. The executive order directs State agencies not to establish new programs, promulgate rules or accept federal funding to implement Obamacare. It also bars State agencies from assisting federal agencies in implementing the law.

A copy of the executive order can be found [here](#).

"The Legislature clearly wanted to send a message to the national government this session, expressing its frustration with Obamacare. I agree with the message and know the debate about Obamacare would be vastly different, if not completely unnecessary, if the national government adhered to the Tenth Amendment," Governor Otter wrote in a three-page letter to Secretary of State Ben Ysursa, explaining his veto of House Bill 298, which sought to entirely "nullify" the federal law's application in Idaho.

"I also agree with the Legislature and the sponsors of this bill that now is not the time to implement Obamacare. However, it is equally unacceptable to forego exploring viable state solutions to our healthcare needs and allowing the national government to assert more control over Idahoans," the Governor wrote. A copy of his letter can be found [here](#).

While Executive Order 2011-03 bars State agencies from implementing Obamacare, it does allow the Idaho departments of Insurance and Health and Welfare to continue developing a State health insurance exchange. The Governor said that would prevent the federal government from controlling the state's insurance market by administering an exchange of its own in Idaho.

“I had worked in the health insurance field for over 30 years and applaud the Governor for allowing Idaho to remain in control and giving our citizens the reins for our own solution to healthcare reform,” Idaho Department of Health and Welfare Director Richard Armstrong said. “I am confident that Idaho’s expertise and can-do attitude will design an exchange that provides better access for families and employers, while also preserving the health insurance marketplace.”

Wayne Hoffman, executive director of the Idaho Freedom Foundation – which worked closely with legislative sponsors of House Bill 298 – said the executive order was a positive alternative.

“When we started the year, our No. 1 priority was to stop the operability of Obamacare in Idaho. The Governor’s executive order meets our objectives by using our language from House bills 117 and 298 to send a powerful message that the State of Idaho will not be a willing partner in the implementation of an unconstitutional federal law,” Hoffman said. “It is an important step in the right direction for Idaho and for freedom. We are grateful to the Governor for his action as well as the hard work of Senators Pearce, Fulcher, Vick and Nuxoll, and Representatives Barbieri and Boyle, on this issue.”

Senator Russ Fulcher of Meridian, one of the Senate cosponsors, also welcomed Governor Otter’s action.

“The intent of H298 was to lawfully discourage the implementation of Obamacare in Idaho,” he said. “To me it doesn’t matter if that happens through legislation or executive order. I am just thankful to have the Governor’s support on the issue.”

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