

Short-Term Obamacare Relief Principles

Among the many fatal flaws of Obamacare, Congress did not include an appropriation for the cost sharing reduction (CSR) program. Last year, a Federal court in DC ruled that the payments are unconstitutional because Congress did not appropriate money for them. The court ordered the government to stop making the CSR payments, but stayed that decision while an appeal is pending. After a thorough legal review by the Departments of the Treasury, Health and Human Services (HHS) and the Office of Management and Budget, and an opinion from the Attorney General, HHS concluded that the last Administration overstepped the legal boundaries drawn by our Constitution and that the CSR payments to insurers must stop immediately. Members of Congress are now working on a proposal that would provide a legal appropriation for the CSR program.

The White House supports the efforts of members of Congress—both Democrats and Republicans—to provide relief to Americans suffering under Obamacare. Such legislative efforts should include:

Immediate relief to Americans from expensive mandate penalties

- Relief from the individual mandate penalty for 2017
- Relief from the employer mandate penalties for 2015, 2016, and 2017

Helping Americans access health care

- Expanding health savings accounts (HSAs) by increasing contribution limits and allowing them to be used for insurance premiums, direct primary care and health sharing ministries
- Expanding access to short-term limited duration insurance and association health plans, and exempting enrollees from the individual mandate penalty

Providing flexibility to States

- Giving States additional flexibilities through 1332 waivers to meaningfully rescue their individual markets