



News Release

For Immediate Release: Wednesday February 2, 2011

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A Closer Look at the Florida Court Ruling and Utah's Response: NO EXCUSE FOR RASKDECISIONS

The Florida-led case (ruling is [here](#)) challenging federal health reform has sparked a posturing frenzy amongst the far right in Utah, in part because this is the first case in which Utah is a plaintiff. Members of the Patrick Henry Caucus and Attorney General Mark Shurtleff are using the case and Judge Vinson's declaratory statement against the entire ACA to ask for a complete halt to state implementation activities. "This opinion on the part of the Patrick Henry caucus and Attorney General is just that—an opinion," says Judi Hilman, Executive Director of the Utah Health Policy Project.

"States that oppose the Affordable Care Act are using this ruling to attempt to get out of implementation of what is still federal law. In short, states are not off the hook. The ACA is still the law of the land and unless the Supreme Court of the United States rules otherwise, implementation needs to continue." "Utah needs to get out of the game of political posturing and continue to follow the law of the land and help consumers with the health care crisis they are facing."

"Did the Judge grant an *injunction*? **No.** An injunction is a specific order that the federal government cannot do something. Do states need to implement the law? **Yes.** Will the Department of Justice appeal to the 11th circuit? **Yes, this is in process.** Various legal minds as well as Utah politicians are trying to sort through these questions – however, the current analyses suggest that because Vinson issued a declaratory judgment, there is no need even for a 'stay' – (a time-out) or a requirement that until the appeals process is complete, the law stays on the books."

"While a stay is probably not technically required, for states like Utah (and Idaho, Wisconsin, Florida) it would not hurt to have one. But while we wait for this process, our leaders should avoid making any rash decisions that may cause irreversible harm. This issue will not be resolved in the 45-days of Utah's legislative session. Judge Vinson did tell the right wing to back off of Medicaid – he maintains that there is no legal foundation to plaintiff's argument that states are being coerced into the program."

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