



up to \$3000
Customer Cash Allowance

On select 2010 Chrysler 300 models
See dealer for details



Find a Dealer >

Get a Quote >

The Salt Lake Tribune

TUESDAY, December 29, 2009

Home News Sports Features Entertainment Business Opinion Close-Up Obituaries Classifieds More Sites Legals Help Desk

This Site Web - powered by YAHOO! SEARCH

More Utah News

- Cache County likely to keep 4-day schedule
- Deadline nears for tax credit on college savings
- Utah lawmaker: Scrap limit on some liquor licenses
- Rollover crash on I-80 kills woman
- Tiny life is family's 'miracle'
- Utah law firm to reimburse revelers for cab rides
- West Valley family hospitalized after carbon monoxide exposure
- Grisly discovery: Body found burning in Box Elder County
- S. Salt Lake fire injures two homeless men
- Draper baby became severely ill from parvovirus in the womb
- Grisly discovery: Body found burning in Box Elder County
- Did communications breakdowns imperil Utah VA patients?
- Arizona says liquidating property trust may be best option for polygamous community
- Two arrested in Salt Lake County pot-grow bust
- Shurtleff may sue to stop health care reform
- Preservation easement to protect downtown Brownstone Building
- Wednesday storm should rid Utah valleys of inversion
- ICE agents posing as LDS missionaries?
- Cherie Wood goes from City Hall veteran to City Hall leader
- Warrants sealed in Susan Powell case, newspaper plans challenge
- Time again to turn your Christmas tree into sawdust
- Free cab rides offered to stop drunken driving
- Arts contest celebrates 40 years of kids' talent
- Nitrates force Mendon to pay for new water well
- Easement signed to preserve downtown Salt Lake City building
- Utah program shows minority students the way to higher education
- Former legislator was a stable force for his 14 years
- Bad drug deal ends in arrest of four on aggravated assault charges
- Speaker: Copenhagen summit disappointing
- School employees seek dismissal of claims in suit over prop gun death

Tribtowns.com: Enter your Zip code to find news and events in your area

Shurtleff may sue to stop health care reform

Corrupt process? » Utah attorney general may join nine other states in lawsuit against 'vote buying.'

By **Cathy McKittrick**
The Salt Lake Tribune

Updated: 12/29/2009 10:25:44 AM MST

Utah Attorney General Mark Shurtleff is poised to join nine of his conservative colleagues across the nation in suing the federal government over health care reform.

"It smells rotten and indicates a corruption that we haven't seen before," Shurtleff's chief civil deputy, John Swallow, said Monday.

Swallow, a former congressional candidate, referred to Sen. Ben Nelson's vote that allowed the federal legislation to clear the Senate last week in exchange for special Medicaid breaks for the Democrat's home state of Nebraska.

"We're working hard to prevent what could become a culture of vote buying," Swallow said of the alliance he and Shurtleff recently formed with South Carolina Attorney General Henry McMasters and other Republican AGs who are framing the fight as a fierce battle over constitutionally guaranteed states' rights.

A Utah legislator, Rep. Carl Wimmer, R-Herriman, said he backs Shurtleff's position. Wimmer is sponsoring a bill in the upcoming legislative session that would require Utah to opt out of any federally mandated health care reform.

"Health care reform should be conducted at the state level," Wimmer said, "and not be forced upon us by the people in Washington, D.C."

In May, Wimmer organized Utah's branch of the conservative Patrick Henry Caucus, which boasts close to 40 of the state's 104 lawmakers on its membership rolls.

Wimmer's organization voted unanimously last week

to support litigation against the federal reform measure.

"We would file an amicus brief as part of the lawsuit," Wimmer said. "This bill marks the first time in history that Congress would require every American to purchase a particular good or service."

Judi Hilman, executive director of the nonprofit Utah Health Policy Project, described the Nebraska deal as "an extreme version of what Congress does all the time with pork-barrel spending," but warned that federal health reforms should be postponed no longer.

"If part of the AG's point is that states are doing just fine reforming their health care systems, in Utah's case that would not be true," Hilman said. "Until they really look at issues of affordability and bringing people into the system, we have no leg to stand on in the case of states' rights."

Hilman argues that Utah has yet to get it right

when it comes to health care reform.

"The premise of our state's reform process is to contain costs first and then capture the savings to cover the uninsured," Hilman said. "But all the research shows that the way to bend the cost curve is through coverage, not around it."

Legal scholars already have weighed in on federal health-care reform, Hilman added, and overwhelmingly have found it constitutional.

"The precedents they're pointing to," she said, "are Medicare and Medicaid."

Regarding Nebraska's arrangement, Hilman noted states already are treated unequally in terms of Medicaid reimbursement rates.

"I don't think the courts will go there," Hilman said, "even if the Ben Nelson deal sticks" through the upcoming negotiations to meld the Senate and House measures into one bill.

The individual insurance mandate will get enforced through the federal tax system, Hilman added, similar to how certain taxes already are regulated.

"They're grabbing at straws," Hilman said of the lawsuit proponents and their efforts to stonewall reforms.

"I can feel their pain," she said. "But it's pain we -- the feds, states and cost-containment experts -- need to

Most Viewed

- (From the last 12 hours)
1. ICE agents posing as LDS missionaries?
 2. Grisly discovery: Body found burning in Box Elder County
 3. Warrants sealed in Susan Powell case, newspaper plans challenge
 4. PlayStation 3 dominates best games in 2009
 5. BYU basketball: Arizona coach says Cougars should be ranked

BOOST EMPLOYEE
Morale.

GIVE AMERICAN EXPRESS® GIFT CARDS FOR BUSINESS



ORDER NOW



Husqvarna VIKING

Give her the gift that makes gifts.

DESIGNER DIAMOND

\$2,000.00 OFF

\$5

Gift Certificate

Good towards any purchase

Limit: 1 Gift Certificate per household
Expires 12/15/09



Wimmer's

94 N. Fort Lane, Layton UT • 801-546-4906

learn how to manage together."
cmckitrick@sltrib.com



Utah's partners in potential suit

Utah Attorney General Mark Shurtleff has joined South Carolina AG Henry McMaster and colleagues from Alabama, Colorado, Michigan, North Dakota, Pennsylvania, Texas, Virginia and Washington in pursuing possible legal action over alleged states-rights violations in federal efforts at health care reform.

[Return to Top](#)

RECENT COMMENTS:

12/29/2009 11:10:00 AM -- Shurtleff is really full of himself. [\[MORE\]](#)

12/29/2009 11:04:00 AM -- YEAH Schurleff, let the States reform healthcare! That way States like Utah that REFUSE to pass any type of ethics legislation... [\[MORE\]](#)

12/29/2009 10:52:00 AM -- it's good to see two of Utah's finest minds looking out for us. They have a lot of time to do this since they aren't bogged... [\[MORE\]](#)

[READ ALL 87 COMMENTS](#) | [POST A COMMENT](#) | [REGISTER](#) | [TRIBTALK.COM](#)

Was this article worthwhile?



-73
141 VOTES

Celebrity **X** Cruises®

THE CARIBBEAN PERFECTED
FROM \$59 PER DAY

[View Sailings »](#)

Related Topic Pages

- [Iraq](#)
- [Iran](#)
- [Afghanistan](#)

<p>New Financial Aid Options for College If you make less than www.ClassesUSA.com</p>	<p>Refinance Now at 4.1% Fixed No hidden fees, 4.1% APR. No obligation. Get 4 free quotes MortgageRefinance.LendGo.com</p>	<p>Health Insurance Quotes America's #1 Health Insurance Site. Compare the Best Plans eHealthInsurance.com</p>
--	---	---

Ads by Yahoo!

YOUR AD HERE

[Privacy Policy](#) | [MNG Corporate Site Map](#) | [Copyright](#)