

The Daily Record

Here's How Trump Can Do It

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April 11, 2017

President Trump's first negotiation with Congress over repealing and replacing Obamacare did not go well. Yet he can force Republicans and Democrats back to the negotiating table, and get a bill that keeps his promises to fully repeal Obamacare and to protect people with preexisting conditions. He can do this by simply undoing the illegal actions by his predecessor, which he has also already promised to do.

Illegal Bailouts

President Barack Obama created several illegal bailouts to keep Obamacare from cratering — and Congress from repealing it — before he left office.

The first was a bailout for members of Congress and their staffs. Obamacare forced them out of their federal-employee health plans the day the law took effect. President Obama bailed them out by ignoring that provision. He let them stay in their health plans and forced taxpayers to contribute up to \$12,000 toward the premiums of those illegal health plans.

President Trump can end this illegal taxpayer bailout via executive order — a move that 92 percent of voters support. When Congress has to live under Obamacare, Democrats and Republicans will join hands to deliver immediate relief for the American people.

End 'Cost-Sharing Subsidies' A second bailout concerns "cost-sharing subsidies" which the Obama administration provided to insurers in the exchanges. The Obama administration admitted that Congress never appropriated funding for these subsidies, yet started sending billions of dollars to insurance companies anyway. The House of Representatives sued the administration in federal court. A federal judge ruled this bailout "violates the Constitution" and ordered it to stop.

Armed with a court order, President Trump should end this illegal bailout. Insurance companies and members of Congress from both parties and all ideological stripes would then return to the negotiating table, eager to strike a deal that stabilizes insurance markets.

A third bailout concerns another \$3 billion the Obama administration illegally diverted from the U.S. Treasury to insurance companies. **Insurance Companies Should Return Unlawful Payments**

Obamacare's "reinsurance" program collected money from nearly every American covered by a health insurance plan. It then earmarked some of the funds for insurers participating in Obamacare's exchanges and the rest to the U.S. Treasury. The U.S. Government Accountability

Office, a non-partisan federal watchdog agency, found that the Obama administration illegally diverted funds earmarked for the Treasury to insurance companies instead.

Armed with the GAO report, President Trump can stop the diversion of funds and demand that insurance companies return unlawful payments they have already received, giving insurers and members of Congress even more reason to negotiate.

Ending these insurer bailouts would not destabilize insurance markets. Obamacare is destabilizing insurance markets, and these illegal bailouts are destabilizing the rule of law. By ending these bailouts, Trump can uphold his oath to the Constitution and force Congress to put an end to the instability Obamacare has created in health-insurance markets.

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