

Dr. Burgess Weekly Video Address March 30, 2012

“Inside the Supreme Court”

Hello, this is your Congressman, Michael Burgess. A limited government, where enumerated powers are basic to our individual freedoms is critical. This past week, the United States Supreme Court wrestled with the limits of the power of the federal government and its relationship with each of us. I was present in the Court chamber this past Tuesday for the arguments presented about the health care law requirement for all Americans to purchase health insurance. That’s what’s known as the Individual Mandate.

Listening there in the Supreme Court Chamber, I was impressed by the questions asked by Justice Kennedy. He appeared to me to dig deeply at how this requirement to buy health insurance redefines the relationship of the government with respect to average citizen. If government can require you to buy health insurance, then does the government have a newly-established power? And if there is a new power, what are the limits on said power?

The questions were thoughtful and the sense of history was palatable in the courtroom. At times, I was concerned about the validity of some of the premises presented.

Justice Sotomayor made what I thought was an astonishingly uninformed suggestion that a child might be thrown out of an emergency room and left to die from an allergic reaction. Every single doctor knows that it is our sworn oath to care for the sick. And, there is also already federal law on the books with serious penalties for failing to treat someone who comes into the emergency room. You know, it is not the uninsured that drives up health care costs but rather what is known as “cross subsidization” – Medicare, Medicaid – programs that are always severely under-funded by the federal government. And as a result, the other parts of the health care payment system – the private insurance and the private pay – the parts of the system that parts of the system that you and I pay for – have to make up that difference in costs.

The previous Congress should have tackled health care not as one huge, complex and now very poorly cobbled-together law. Instead, we should focus on health insurance and the seven to nine insurance reforms that are within practical reach of solving. For instance, let's fix the problems that would go a long way to preventing someone from exclusion from coverage. Let's make the small-group market health insurance and the individual market be patterned more like the employer-based system that many of us have now. Let's normalize the tax treatment of individuals and make more it like large corporations, so they are similar.

Now, as never before, we are focused as a nation on health care reform. So, let's do this thoughtfully. Let's do it decisively. And let's not destroy a system that is arguably working well for more than two thirds of the population. It can always be improved, but let's do it right.

Thank you for taking the time to listen. Please visit my website, burgess.house.gov, to learn more about this and other concerns before the United States Congress. May God bless you and your family. And as always, may God bless Texas.