

1 THE STATE SENATE  
2 Tuesday, February 16, 2010

3 Senate Joint  
4 Resolution No. 58

5 SENATE JOINT RESOLUTION NO. 58 - By: Coffee and Jolley of the Senate  
6 and Benge of the House.

7 A Joint Resolution petitioning the federal government to  
8 opt-out of certain mandates; petitioning the federal  
9 government for certain waivers; petitioning the federal  
10 government for certain block grants; and directing the  
11 Oklahoma Health Care Authority to submit certain requests;  
12 and directing distribution.

13 WHEREAS, the authority to establish and require participation in  
14 a health care system is not a power delegated to the federal  
15 government under the United States Constitution; and

16 WHEREAS, the Tenth Amendment of the United States Constitution  
17 provides that the powers not delegated to the federal government  
18 under the United States Constitution are reserved to the states; and

19 WHEREAS, a federal law mandating participation in a health care  
20 system is a direct violation of states' rights.

21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF  
22 REPRESENTATIVES OF THE 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

23 THAT the Oklahoma Legislature petitions the federal government  
24 to opt-out of any federal mandates related to health care reform.

1            THAT the Oklahoma Legislature petitions the federal government  
2 for waivers to the state Medicaid program to enable Oklahoma to  
3 implement its own health care reform measures.

4            THAT the Oklahoma Legislature petitions the federal government  
5 to return any taxes collected from Oklahomans or Oklahoma businesses  
6 under federal health care reform to the state in a block grant to  
7 enable Oklahoma to implement its own health care reform measures.

8            THAT the Oklahoma Health Care Authority is directed to submit to  
9 the federal government any formal requests under this resolution.

10           THAT the Secretary of State distribute a copy of this resolution  
11 to the President of the United States of America, the Secretary of  
12 Health and Human Services, and Oklahoma's Congressional Delegation.

13 COMMITTEE REPORT BY: COMMITTEE ON HEALTH & HUMAN SERVICES, dated  
14 2-11-10 - DO PASS, As Coauthored.