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FOR IMMEDIATE RELEASE

Statement Regarding Health Care Suit

As Attorney General, I am duty bound by my oath of office to pursue a request by the Governor of the state of Louisiana for legal assistance, so long as it has substantial legal merit.

To save Louisiana the potential expense of filing a separate suit regarding the health-care legislation, it was my decision to sign-on to Florida's well-drafted action at minimal cost to Louisiana and accomplish the same legal purpose.

According to DHH Secretary Alan Levine a substantial financial burden is imposed on Louisiana by this legislation. According to Secretary Levine, there is a minimum added cost to Louisiana of approximately $350 million a year to implement this act, because Congress passed this as an UNFUNDED MANDATE by the federal government to the state government. This will cause our poorest people to be severely impacted by this far-reaching action by Congress. Unfunded mandates have been successfully challenged in court before.

Also, a primary issue is whether the Congress can order every person to have insurance or pay a severe penalty if they don't. People are not given a choice to "opt-out" legally. Unlike mandatory rules governing Medicare and Medicaid, this new federal law will penalize and punish citizens for simply electing not to buy the mandated health insurance. This is new territory that has not been tested in the courts, which is where such matters are resolved.

As Attorney General I will not engage in political opportunism or partisan politics nor file any claim that does not have substantial legal merit.

James D. "Buddy" Caldwell
Attorney General
State of Louisiana

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