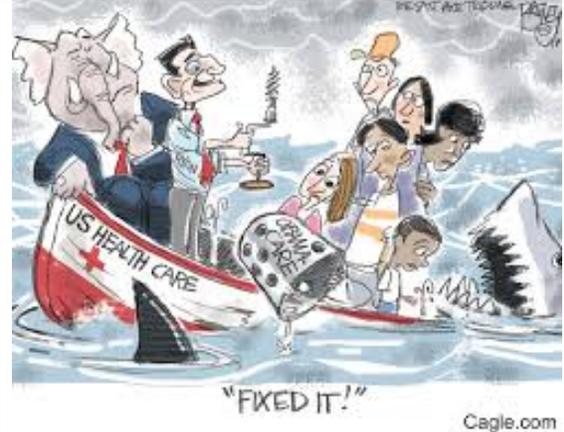


Health Care
Mark Saiki
3/6/2017



The Republican Party says that we must Repeal and Replace the Affordable Care Act (ACA, also derided as Obamacare). They have voted 55 times to repeal it.

It is a political lie that they intend to “replace” it. In those fifty-five times they have voted to repeal it, they have not once voted to “replace” it. There are countless plans, which include: returning to the glories of the free market system (preexisting conditions and lifetime caps).

I find Preexisting Conditions to be particularly galling, as a matter of contract law. You pay health insurance premiums, from the time that you begin work. The insurance company says, because you lied on your application, by not disclosing your pre-existing condition, such as you had breast cancer, that they will drop your coverage. In so many words, they are acting like a death panel: Get sick and die, because you lied on a form. Make them prove you were lying. Maybe you had alternative facts, or a different interpretation of what a “preexisting condition” was. Lawyers, on a contingency fee basis should litigate a precedent that the health insurance company should be forced, as a matter of law, to maintain your health insurance cover, until they establish that you lied, in a court of law.

Let me make this clear, they are not offering to refund your premiums, and allow you to retroactively purchase health insurance from another carrier. They are not willing to allow you to amend your application to “correct” an earlier error. They do not care that your “mistake” might be inadvertent, caused by your misunderstanding of what a “pre-existing condition” was. Their contract did not warn you that if you failed to disclose your breast cancer, that they could drop your coverage.

This is in no way a two-way street. You have upheld your end of the bargain, by paying health insurance premiums. It is the insurance company who is breaching their own contract, by dropping your coverage. They drafted this adhesion contract. Ambiguity should be construed against the maker of the contract. You should be able to go into court and get an injunction, urging them to make specific performance on their contractual obligations. You should be awarded treble damages, and attorneys fees (another law, which I will draft). You should be

awarded punitive damages, by a Court of law.

Let us level this playing field. Health Insurance lawyers are acting like death panels: their actuarial tables tell them that you are likely to die, before you get your day in court. They are betting that, because you are sick, and now approaching death, that you do not have the time nor the money to hire an attorney, to beat them in court. We should have class action lawsuits, with punitive damages, to establish this point. That award of compensation, should be paid to your relatives, after you die.

Other secret Republican plans include Trump-care, Ryan-care and McConnell-care. They have votes to repeal the ACA; they do not have the votes to “replace” it. In this regards, the GOP are playing Santa Claus once again. They tell you to raise your hands, How many of you want the good parts of Obamacare, at lower costs? How about half the price? How about at 10% of the price? Which of you voters would like a Free Lunch? Who would like a steak dinner at 50% lower cost? Who would like the benefits from the American Government, with 75% lower taxes (and also a 25% higher National Debt)?¹

Individual Mandate. The individual mandate pools your insurance risks, and it spreads them out over a larger demographic population. By making everybody jump into this swimming pool, it lowers to overall costs for health insurance for everyone. It is an income transfer from healthy, young and high earning Yuppies, to old, sick and lower earnings persons on Social Security.

If the Republican Party does away with the Individual Mandate, this income transfer will no longer take place. Healthy young Yuppies and Millennials will jump out of the pool.² What is left are a lot of old people, remaining in the high-risk pool. Without being subsidized by our Youth, their insurance premiums will go up. They will be subject to the

¹ At GOP Steve Pearce’s Town Hall Meeting, on 3/4/2017, at 9:00 am in Ruidoso, he said that the Oil and Gas Industry funded 40% of New Mexico’s public education expenses. He said that we either have fracking or we close down public schools. Show me the beef. Prove to us that the Oil and Gas Industry funds 40% of our educational system. More importantly this sounds like an opportunity to raise taxes on the Oil and Gas Industry. They are extracting non-renewable sources of energy. Petroleum will soon be as extinct as the dinosaurs, who gave their lives to make it. In addition, fracking in Oklahoma has increased man-made earthquakes from 30 to 630 per year. Oil Wells in Texas are not being reclaimed, because Oil and Gas Companies are going Bankrupt. Why not legislate tax increases on Oil and Gas, so that they pay 75% for of New Mexico’s educational system, including colleges like NMSU? Our teachers deserve a raise, and cost of living expenses, more than Rex Tillerson does. In addition, Exxon Mobile has \$500 billion dollar deal to mine Russian oil. Might they can spare some loose change to help New Mexico’s public education system graduate from 49th worst in the United States, maybe up to 45th worst? Gosh, can we hope someday to rank as high as Colorado’s school districts? Do we have the audacity to hope that much? Steve Pearce does not; I do.

² Could this be what Donald Trump meant when he said, “Drain the Swamp?”

perils of the free market system: lifetime caps, bring denied coverage, and much higher premiums.

The Insurance lobby will be clamoring to bring back their favorite son: Preexisting Conditions. You old farts failed to disclose that you had shingles (or Hepatitis C) fifteen years ago. “Bingo” you forfeit health insurance coverage.

I leave it to your discretion whether or not Donald Trump or the Republican Party will stand up to them. Maybe, just maybe, they will allow the Insurance Lobby to cross back over that bridge. I, myself, can already hear their supportive rhetoric: We want to cut your health insurance premiums, by putting basket cases out to pasture. Old people are near the end of their lives anyway. Why should the government force them to undergo grueling resuscitation and unnecessary surgery (such as heart transplants and stents)?

I remind you that Adolph Hitler (the original Holocaust Denier) proposed just this plan, to get rid of “useless eaters.” It was Mein Furher who asked Germans to hold their noses after Kristallnacht and his demonizing of the Jews, by promising to boost the German economy, by building up and militarizing the Rhineland. Are not Donald Trump supporters saying the same thing? Just give Trump the chance to boost the American economy and create millions of new jobs. We don’t care that he demonizes: Hispanic workers and Muslims, as long as he brings back American jobs. To that I say, “Heil Hitler!”

Newsflash, there are around 535 jobs available in the Donald Trump White House,³ apparently these jobs do not require any specialized skills or experience. Trump has only filled around 39 of them. Why don’t you angry White victims, Alt-Right members and West Virginia Coal Miners apply for these Cabinet positions? With a mere stroke of his mighty pen, Donald Trump could hire you to get a government job, which pays well north of \$100,000 per year. Trump says that he is a man of the people. I would even wager that Trump has not filled these job openings either because he has run out of Goldman Sachs billionaires to fill them, or more likely, he is waiting for your job applications to hit his desk. Maybe he is setting aside these plumb jobs, so that working People can have a voice in his Cabinet. By golly, I say that it is worth a try. What the Hell do you have to lose? Mail your resume and your salary requirements to the White House, care of Mark Saiki.

Single Payer. Capitalist and free market difficulties are reasons why Great Britain, Canada and Massauchetts went to single-payer system, which Democrats support.

I say, let us Repeal and Replace GOP Representative Steve Pearce.
I say, let us Repeal and Replace Donald Trump.
I say, let us Repeal and Replace the Tea Party

³ Thank God, now we can call it a White House again. Trump is restoring White Pride. He is making most Caucasians proud, except for my Wife, and Barack Obama’s wife. Well, I guess, nobody bats 1000%.

I say, let us Repeal and Replace the Alt-Right.

I say, let us Repeal and Replace Jeff Sessions.

I say, Let us Repeal and Replace Steve Bannon.

I say, Let us Repeal and Replace Donald Trump's Cabinet, except for Generals Mattis and McMaster.