



Written by [Kelly Holt](#) on January 24, 2011

Okla. Efforts Against ObamaCare

Fallin, a former Oklahoma State Representative, Lieutenant Governor, and U.S. Representative, explained to Greta Van Susteren:

On November 2 last year, our state voted by about 65% [in favor of question #756] to say that [we do] not believe that Oklahoma should be mandated to come under a federal health care system and we believe the new federal health care bill is unconstitutional, especially with the individual mandate.



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So Oklahoma is going to join other states in our nation to challenge the constitutionality of the federal health care system.

Van Susteren then asked the Governor to explain Oklahoma's ballot question #756, which amended the state Constitution. Fallin replied that the federal healthcare bill is now in violation of Oklahoma's Constitution, which has been amended to state that Oklahomans, whether individuals or businesses, cannot be forced to join in a healthcare system. She declared, "We're going to challenge it on our own merits as Oklahoma."

The Governor noted that Oklahomans had spoken very clearly in opposition to ObamaCare, and she reminded viewers that all of the Sooner State's delegation in Congress had voted against it, adding:

We believe it's unworkable, we believe it's unconstitutional, and we believe it's expensive — and as the new governor I'm very concerned about the unfunded mandates ... and how that will affect our state budget at a time when we're having a budget shortfall, and many states are in the same position.

Van Susteren then queried Fallin if Oklahoma's low unemployment rate of 6.9 percent had affected the lawsuit. Fallin replied,

We've made wiser policy decisions, we have a great economy, a low cost of living, low cost of housing, an abundance of natural resources, great energy sector, agriculture, lots of small businesses and the legislature has done a good job of working toward pro-business legislation. This is one of those pro business-type issues, holding down health care costs and allowing Oklahoma to innovate and choose how we want to provide health care in our state — letting the free market system work. Let the states work their own solutions.

When asked how much attention she thinks her former congressional colleagues are paying to these lawsuits, the Governor indicated that she believes there is now a better working relationship between Congress and the states, adding that she had recently spoken with House Speaker John Boehner about how Congress should improve its dialogue with Governors on the implications of federal policy and how it affects the states, especially with unfunded mandates such as healthcare.



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Charlie Meadows, chairman of the Oklahoma Conservative Political Action Committee (OCPAC) supports state nullification of ObamaCare — that is, declaring the bill null and void in Oklahoma owing to its unconstitutionality. He also sees value in the lawsuit, believing that it will slow the ObamaCare process until the next election cycle, with the hope that by then enough constitutionalists will be in place to overturn the law. However, he notes that there is a key issue if the lawsuits end up in the Supreme Court:

It would be of concern if the Supreme Court finds a minor portion of the bill unconstitutional, which would leave the rest of the bill in place. But if the portions declared unconstitutional were crucial ones, it could result in striking down the entire law.

We would hope the Supreme Court would adjudicate under the terms of the U.S. Constitution, and not against it.

Meadows is joined in his opposition to ObamaCare by Randy Brogdon, Deputy Commissioner of Fraud and Consumer Service in the Oklahoma Insurance Department. In an interview with *The New American*, Brogdon related that his supervisor, Commissioner John Doak, ran on a platform opposing national healthcare, and continues to oppose it. The Insurance Department has taken on the mission of supporting Question #756 and protecting Oklahoma consumers. Brogdon declared that the Department will meet what Oklahomans want, not what the federal government wants, adding that because he and Doak believe in the free market approach and limited government, they are committed to stand against ObamaCare.

Oklahoma state Representative Mike Ritze, who is also a physician, filed H.B. 1276 on the same day as the Governor's announcement of the lawsuit. The bill would nullify ObamaCare. Ritze told *The New American*,

We cannot recognize an unconstitutional bill, and ObamaCare is just that. States have the right to declare null and void any federal measure if it is not among the enumerated powers permitted to the federal government. Our bill does just that. It even includes a provision to charge with a felony anyone in federal or state government who tries to enforce ObamaCare. We mean it.

The Oklahoma legislative session begins on February 7. Stay tuned.

Photo: Okla. Gov. Mary Fallin



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