

Humana Shareholder Meeting Question
Justin Danhof, Esq., General Counsel and Free Enterprise Project Director
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I'm Justin Danhof of the National Center for Public Policy Research.

In recent years, Humana has had unique opportunities to play a major role in fixing or replacing the failing mechanisms of the Affordable Care Act. However, when confronted with such opportunities, Humana defended ObamaCare instead.

For example, when we specifically confronted you about the peril of taking taxpayer bailouts through ObamaCare's risk corridors, the company chose to defend the bailouts and even lobbied the Obama Administration for more taxpayer money through them.¹ That risk was real, and now those bailouts are the subject of protracted litigation. The company made a bad deal. Furthermore, when a lawsuit sought to unravel some of ObamaCare's market-distorting provisions, the company resisted and joined an *amicus* brief that argued to uphold the law in the Supreme Court case of *King v. Burwell*.² Again, the company chose against a better way forward.

Critical conservative predictions about ObamaCare's failings are becoming reality as the law is truly in a death spiral. The company tacitly acknowledged as much when it announced its decision to withdraw from ObamaCare exchanges in 2018.³

Humana shares a responsibility for the pain that ObamaCare has caused the American people. Therefore, it is incumbent on the company to be part of the solution.

The current political climate offers a unique opportunity for both private industry and health care consumers. President Trump has vowed to repeal and replace ObamaCare with a more patient-centric approach to provide greater options and use market forces to control prices. The first attempt at this effort may have stalled in the U.S. House of Representatives, but the American people still deserve a solution to ObamaCare's broken promises.

I have a few quick questions: Will Humana seek a seat at the table by working with the Trump Administration and Congress to promote this new health care agenda as it did during the Obama Administration, and what specific reforms would you suggest to the new President?

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¹ <http://www.conservativeblog.org/amyridenour/2014/7/29/national-center-shareholder-activism-precedes-congressional.html>

² http://www.nationalcenter.org/PR-Humana_ObamaCare_041615.html

³ <http://www.nationalreview.com/corner/444928/obamacare-humana-leaves-exchanges-2018>