

**Congress of the United States**  
**Washington, DC 20515**

October 30, 2018

The Honorable Mark Brnovich  
Office of the Arizona Attorney General  
2005 N Central Ave  
Phoenix, AZ 85004-2926

Dear Attorney General Mark Brnovich:

President Trump recently tweeted, “All Republicans support people with pre-existing conditions, and if they don’t, they will after I speak to them. I am in total support.” Senate Majority Leader Mitch McConnell said, “There’s nobody in the Senate that I’m familiar with who is not in favor of coverage of preexisting conditions.”<sup>i</sup> President Trump and Leader McConnell are clearly responding to the national sentiment that recognizes the importance of these protections. According to a recent Kaiser Family Foundation poll, 75 percent of Americans say it is very important to prevent insurance companies from denying coverage based on a person’s medical history.<sup>ii</sup>

According to the Department of Health and Human Services, as many as 133 million Americans under the age of 65 have a pre-existing health condition that would lead to a denial of insurance coverage, or coverage only at an exorbitant price.<sup>iii</sup> This includes over 2.8 million hardworking Arizonans, over 26% of the state’s population under 65, whose health and economic security are at risk. Allowing discrimination based on pre-existing conditions will be devastating to those living with chronic health challenges like asthma, diabetes, or cancer, and drive up costs for working families, small businesses, and entrepreneurs. Given that national Republican leadership is claiming to defend pre-existing conditions protections, we expect that you will immediately drop your lawsuit which, if successful, would nullify these protections.<sup>iv</sup>

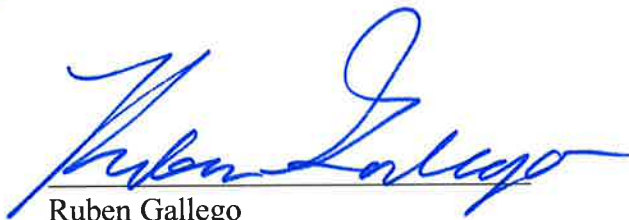
Sincerely,



Tom O’Halleran  
MEMBER OF CONGRESS



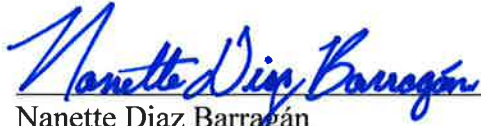
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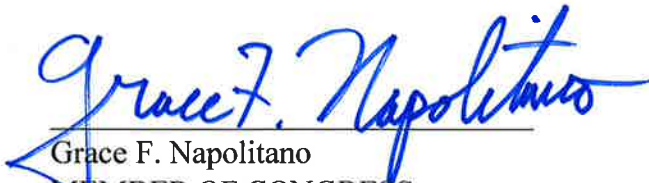
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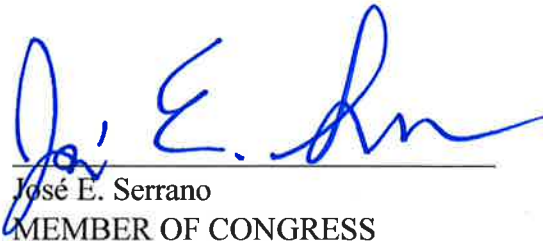
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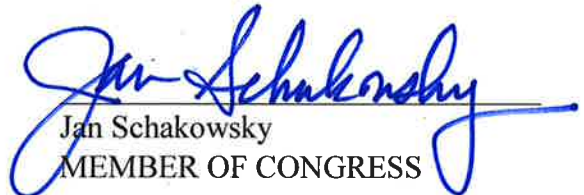
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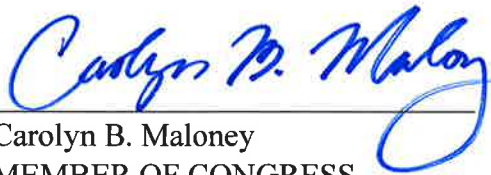
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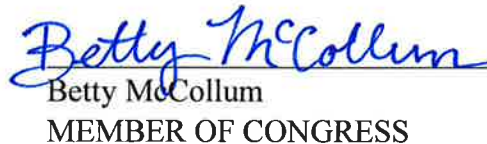
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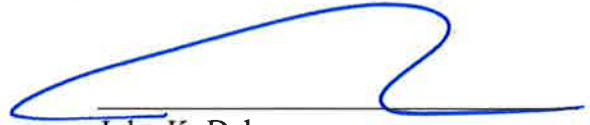
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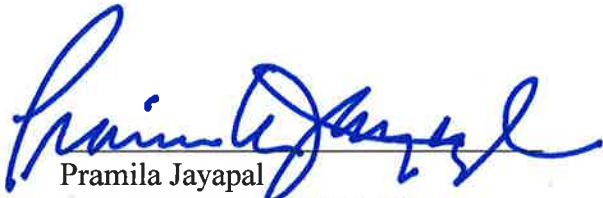
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*Wm. Lacy Clay*

Wm. Lacy Clay  
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<sup>i</sup> [https://www.washingtonpost.com/news/powerpost/paloma/the-health-202/2018/10/19/the-health-202-trump-says-gop-wants-to-protect-preexisting-conditions-but-a-republican-lawsuit-would-eliminate-them-if-successful/5bc8b7a71b326b7c8a8d1a68/?utm\\_term=.06ad7eddf4a4](https://www.washingtonpost.com/news/powerpost/paloma/the-health-202/2018/10/19/the-health-202-trump-says-gop-wants-to-protect-preexisting-conditions-but-a-republican-lawsuit-would-eliminate-them-if-successful/5bc8b7a71b326b7c8a8d1a68/?utm_term=.06ad7eddf4a4)

<sup>ii</sup> <https://www.kff.org/health-costs/press-release/poll-acas-pre-existing-condition-protections-remain-popular-with-public/>

<sup>iii</sup> <https://aspe.hhs.gov/system/files/pdf/255396/Pre-ExistingConditions.pdf>

<sup>iv</sup> <https://www.nytimes.com/2018/06/07/us/politics/trump-affordable-care-act.html?module=inline;>  
[https://www.usatoday.com/story/news/politics/2018/06/07/trump-administration-not-defend-affordable-care-act/683517002/;](https://www.usatoday.com/story/news/politics/2018/06/07/trump-administration-not-defend-affordable-care-act/683517002/) [https://www.justsecurity.org/wp-content/uploads/2018/06/ACA.Azar\\_.filing.pdf](https://www.justsecurity.org/wp-content/uploads/2018/06/ACA.Azar_.filing.pdf)