

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

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|--|---|----------------------------|
| STATE OF FLORIDA, by and |) | |
| through BILL McCOLLUM, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. 3:10-cv-91-RV/EMT |
| |) | |
| UNITED STATES DEPARTMENT |) | |
| OF HEALTH AND HUMAN |) | |
| SERVICES, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| |) | |

**EXHIBITS IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

| Exhibit Number | Exhibit Description |
|----------------|---|
| 1. | H.R. Rep. No. 111-443, pt. II (2010) (excerpt) |
| 2. | Congressional Budget Office ("CBO"), <i>Key Issues in Analyzing Major Health Insurance Proposals</i> (Dec. 2008) (excerpt) |
| 3. | CBO, <i>The Long-Term Budget Outlook</i> (June 2009) (excerpt) |
| 4. | Council of Economic Advisers ("CEA"), <i>The Economic Case for Health Care Reform</i> (June 2009), submitted into the record for <i>The Economic Case for Health Reform: Hearing Before the H. Comm. on the Budget, 111th Cong.</i> (excerpt) |
| 5. | J.P. Ruger, <i>The Moral Foundations of Health Insurance</i> , 100 Q.J. Med. 53 (2007) |
| 6. | Baicker & Chandra, <i>Myths and Misconceptions About U.S. Health Insurance</i> , 27 Health Affairs w533 (2008) (excerpt) |
| 7. | Jonathan Gruber, <i>Public Finance and Public Policy</i> (3d ed. 2009)(excerpt) |
| 8. | O'Neill & O'Neill, <i>Who Are the Uninsured?: An Analysis of America's Uninsured Population, Their Characteristics, and Their Health</i> (2009) |

| Exhibit Number | Exhibit Description |
|----------------|---|
| 9. | Center for Health Statistics, <i>Health, United States, 2009</i> (2010) (excerpt) |
| 10. | Bradley Herring, <i>The Effect of the Availability of Charity Care to the Uninsured on the Demand for Private Health Insurance</i> , 24 J. Health Econ. 225 (2005) (excerpt) |
| 11. | Mark V. Pauly, <i>Risks and Benefits in Health Care: The View from Economics</i> , 26 Health Affairs 653 (2007) |
| 12. | CBO, <i>How Many People Lack Health Insurance and For How Long?</i> (May 2003) (excerpt) |
| 13. | <i>47 Million and Counting: Why the Health Care Marketplace Is Broken: Hearing Before the S. Comm. on Finance</i> , 110th Cong. (2008) (excerpt) |
| 14. | <i>Health Reform in the 21st Century: Insurance Market Reforms: Hearing Before the H. Comm. on Ways & Means</i> , 111th Cong. (2009) (excerpt) |
| 15. | <i>Consumer Choices & Transparency in the Health Insurance Industry: Hearing Before the S. Comm. on Commerce, Science & Transp.</i> , 111th Cong. (2009) (excerpt) |
| 16. | Families USA Foundation, <i>Health Reform: Help for Americans with Pre-Existing Conditions</i> (2010) |
| 17. | Sara Rosenbaum, <i>Can States Pick Up the Health Reform Torch?</i> , 362 New Eng. J. Med. e29 (2010) |
| 18. | CEA, <i>Economic Report of the President</i> (Feb. 2010) (excerpt) |
| 19. | S. Rep. No. 111-89 (2009) (excerpt) |
| 20. | Jack Hadley et al., <i>Covering the Uninsured in 2008: Current Costs, Sources of Payment, & Incremental Costs 2008</i> , 27 Health Affairs w399 (2008) |
| 21. | CBO, <i>Nonprofit Hospitals & the Provision of Community Benefits</i> (2006) (excerpt) |
| 22. | M.E. Martinez & R.A. Cohen, <i>Health Insurance Coverage: Early Release of Estimates From the National Health Interview Survey, January-June 2009</i> , National Center for Health Statistics (Dec. 2009) |
| 23. | U.S. Census Bureau, <i>Census Population Survey, Annual Social and Economic Supplement</i> (2009) (Table H101, data on coverage status by age) |
| 24. | <i>State Coverage Initiatives: Hearing Before the Subcomm. on Health of the H. Comm. on Ways and Means</i> , 110th Cong. (2008) (excerpt) |

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|----------------|---|
| 25. | Alan C. Monheit et al., <i>Community Rating & Sustainable Individual Health Insurance Markets in New Jersey</i> , 23 <i>Health Affairs</i> 167 (2004) |
| 26. | Stephen T. Parente & Tarren Bragdon, <i>Healthier Choice: An Examination of Market-Based Reforms for New York's Uninsured</i> , Medical Progress Report, No. 10 (Manhattan Institute, Sept. 2009) (excerpt) |
| 27. | Jonathan Gruber, Mass. Inst. of Tech., <i>The Senate Bill Lowers Non-Group Premiums: Updated for New CBO Estimates</i> (Nov. 27, 2009) |
| 28. | Letter from Mitt H. Romney, Governor of Massachusetts, to State Legislature (Apr. 12, 2006) |
| 29. | Jonathan Gruber, <i>Getting the Facts Straight on Health Care Reform</i> , 316 <i>New Eng. J. Med.</i> 2497 (2009) (excerpt) |
| 30. | M. Moshe Porat et al., <i>Market Insurance versus Self Insurance: The Tax-Differential Treatment and Its Social Cost</i> , 58 <i>J. Risk & Ins.</i> 657 (1991) |
| 31. | John Klemm, Ph.D., <i>Medicaid Spending: A Brief History</i> , 22 <i>Health Care Fin. Rev.</i> 106 (Fall 2000) |
| 32. | Letter from Douglas Elmendorf, Director, CBO, to the Hon. Nancy Pelosi, Speaker, U.S. House of Representatives (Mar. 20, 2010) (excerpt) |
| 33. | CEA, <i>The Impact of Health Insurance Reform on State and Local Governments</i> (Sept. 15, 2009) |
| 34. | Kaiser Commission on Medicaid & the Uninsured, <i>Medicaid Coverage & Spending in Health Reform</i> (May 2010) |
| 35. | John Holahan & Stan Dorn, Urban Institute, <i>What Is the Impact of the [ACA] on the States?</i> (June 2010) |
| 36. | J. Angeles, Center on Budget and Policy Priorities, <i>Some Recent Reports Overstate the Effect on State Budgets of the Medicaid Expansions in the Health Reform Law</i> (Oct. 21, 2010) |
| 37. | Kaiser Family Foundation, <i>Health Reform Issues: Key Issues About State Financing and Medicaid</i> (May 2010) |
| 38. | Bowen Garrett et al., Urban Institute, <i>The Cost of Failure to Enact Health Reform: Implications for States</i> (Sept. 30, 2009) (excerpt) |
| 39. | Kaiser Family Foundation, <i>Federal & State Share of Medicaid Spending, FY2008</i> |

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| 40. | National Association of State Budget Officers, <i>Fiscal Year 2008 State Expenditure Report</i> (Fall 2009) (excerpt) |
| 41. | Center on Budget & Policy Priorities, <i>Policy Basics: Where Do Our State Tax Dollars Go?</i> (Mar. 19, 2010) |
| 42. | Federation of Tax Administrators, <i>2009 State Tax Collection by Source</i> |
| 43. | Federation of Tax Administrators, <i>2009 State Tax Revenue</i> |