



McCarran-Ferguson Repeal for Health Insurance

S. 350 / H.R. 1418

The American Dental Association (ADA), as the nation's oldest and largest dental professional organization, representing over 163,000 members; and the American Student Dental Association (ASDA) representing more than 24,000 dental students in 66 dental schools across the U.S., strongly support amending the McCarran-Ferguson Act to empower the Federal Trade Commission and U.S. Department of Justice to enforce the full range of federal antitrust laws against health insurance companies engaged in anticompetitive conduct.

S. 350, introduced by Sens. Daines (R-MT) and Leahy (D-VT) and H.R. 1418, introduced by Reps. DeFazio (D-OR) and Gosar (R-AZ) will not interfere with the states' abilities to maintain and enforce their own insurance regulations, antitrust statutes and consumer protection laws. Because states may vary in their enforcement efforts, the impact of repeal on health insurance companies would differ from state to state.

The bill is narrowly drawn to apply only to the business of health insurance, including dental insurance, and would not affect the business of life insurance, property or casualty insurance, or any other similar insurance areas.

Repeal of the limited antitrust exemption for health insurance companies would help inject more competition into the insurance marketplace by authorizing greater federal antitrust enforcement in instances where state regulators fail to or cannot act. Promoting lower prices, greater consumer choice, and increased innovation through robust competition is the role of the antitrust laws.

When competition is not robust, consumers are more likely to face higher prices and less likely to benefit from innovation and variety in the marketplace.

The American Dental Association and the American Student Dental Association urge you to support and co-sponsor S. 350 and H.R. 1418.

Information

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