



MINIMIZING THE ECONOMIC BURDEN OF THE PATIENT PROTECTION AND
AFFORDABLE CARE ACT PENDING REPEAL

By the authority vested in me as President by the
Constitution and the laws of the United States of America, it is
hereby ordered as follows:

Section 1. It is the policy of my Administration to seek
the prompt repeal of the Patient Protection and Affordable Care
Act (Public Law 111-148), as amended (the "Act"). In the
meantime, pending such repeal, it is imperative for the
executive branch to ensure that the law is being efficiently
implemented, take all actions consistent with law to minimize
the unwarranted economic and regulatory burdens of the Act, and
prepare to afford the States more flexibility and control to
create a more free and open healthcare market.

Sec. 2. To the maximum extent permitted by law, the
Secretary of Health and Human Services (Secretary) and the heads
of all other executive departments and agencies (agencies) with
authorities and responsibilities under the Act shall exercise
all authority and discretion available to them to waive, defer,
grant exemptions from, or delay the implementation of any
provision or requirement of the Act that would impose a fiscal
burden on any State or a cost, fee, tax, penalty, or regulatory
burden on individuals, families, healthcare providers, health
insurers, patients, recipients of healthcare services,
purchasers of health insurance, or makers of medical devices,
products, or medications.

Sec. 3. To the maximum extent permitted by law, the
Secretary and the heads of all other executive departments and
agencies with authorities and responsibilities under the Act,
shall exercise all authority and discretion available to them to
provide greater flexibility to States and cooperate with them in
implementing healthcare programs.

Sec. 4. To the maximum extent permitted by law, the head of each department or agency with responsibilities relating to healthcare or health insurance shall encourage the development of a free and open market in interstate commerce for the offering of healthcare services and health insurance, with the goal of achieving and preserving maximum options for patients and consumers.

Sec. 5. To the extent that carrying out the directives in this order would require revision of regulations issued through notice-and-comment rulemaking, the heads of agencies shall comply with the Administrative Procedure Act and other applicable statutes in considering or promulgating such regulatory revisions.

Sec. 6. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE,

January 20, 2017.

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