

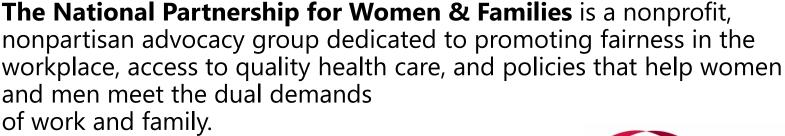
# The Law of Health Care- The Latest Ups and Downs

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## About us



More information is available at www.NationalPartnership.org.



# ACA Sabotage



- Texas v. United States
- Section 1557 of the Affordable Care Act
- Short-term limited duration insurance (STLDI) and Association health plans (AHPs)
- **▶ ACA Marketplace Enrollment**

# Texas vs. US



- Latest court case to threaten future of ACA
- ▶ 17 Republican-led states urging the court to overturn the ACA
  - Argument based on elimination of the individual mandate
  - At the very least want to abolish preexisting conditions protections (guaranteed issue and community rating)
- Trump administration refuses to advocate for ACA
- What's at stake?
  - Preexisting conditions protections
  - 20 million consumers could lose health insurance
  - Gender rating
  - Young adult protection
  - Essential health benefits
  - Lifetime and annual caps
  - Public health funding
  - Quality of care provisions

## Section 1557



- Section 1557 of the ACA prevents federally funded health facilities and programs from discriminating on the basis of sex, disability, race, age, national origin or color
- The proposed rule would weaken protections for women, LGBTQ people and those with limited English proficiency
  - Ex. Hospitals, doctors, nurses, and other individuals and institutions could deny a patient standard medical care based on their personal beliefs, not based on what is best for the patient.
  - The rule would eliminate notice requirements that tell people their rights and explain how people with limited English proficiency can get important documents translated into their languages.
- Consumers' rights remain in place
  - The law has not changed, but the proposal would seriously undercut protections
  - ▶ The public can comment on the proposal until August 13. Many civil rights groups and health care groups will be commenting

## STLDI and AHPs



- Short-term limited duration insurance (STLDI) and Association health plans (AHPs)
  - Alternative coverage arrangements
  - Exempt from many consumer benefits and protections of the ACA
- Why is this bad for consumers on Obamacare and those with pre-existing conditions?
  - Plans do not have to cover essential health benefits such as maternity care and prescription drugs; can charge women and older Americans more; and can discriminate against individuals with pre-existing conditions
  - Consumers are being steered towards STLDI plans under the pretense that these plans are equivalent to ACA compliant options.
  - ▶ These plans could also further destabilize the individual market
- Legal challenges

# Limiting Enrollment



- The Trump Administration has taken many steps to limit individual enrollment in Obamacare
  - Limit funding for navigator grants that provide education, enrollment assistance and outreach for consumers
  - Key information has been removed from the HealthCare.gov website
  - ▶ HealthCare.gov website shut down on Sundays between 12 am and 12 pm, a crucial time in which there is a high volume of enrollment
  - Stop coordinating enrollment efforts with the Latino Affordable Care Act Coalition, that has worked with the administration to increase Latino enrollment

# Helpful Links



- Helpful links that can help you track proposed changes to the ACA
  - https://interact.americanprogress.org/maps/2018/09/tracking\_trump\_aca\_timel\_ine/index.html
  - https://www.cbpp.org/sabotage-watch-tracking-efforts-to-undermine-the-aca

# For more information



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