



The Law of Health Care- The Latest Ups and Downs

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Dialogue on Diversity
2019 Health Care Symposium
June 26th, 2019

**national partnership
for women & families**

About us



The National Partnership for Women & Families is a nonprofit, nonpartisan advocacy group dedicated to promoting fairness in the workplace, access to quality health care, and policies that help women and men meet the dual demands of work and family.

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_timeline/index.html
 - ▶ <https://www.cbpp.org/sabotage-watch-tracking-efforts-to-undermine-the-aca>

For more information



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