

DEFENDING HEALTH ACCESS IN ILLINOIS: THE ACA AND MEDICAID POST-ELECTION

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Agenda

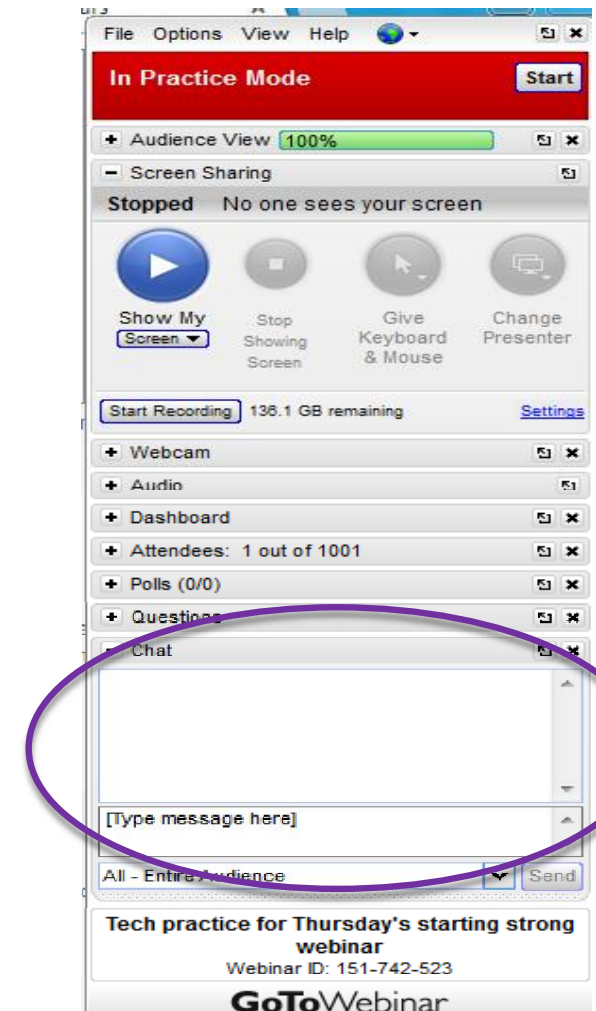


1. What We Know: Threats to Health Access Post Election
2. Repeal of the ACA - Possible Scenarios and Impact
3. “Replacement Plan” Ideas
4. Proposed Changes to Medicaid
5. Illinois: Defending Health Access – Next Steps to Get Involved

Housekeeping

- ❖ We will answer as many questions during the webinar as possible.
- ❖ A recorded copy of the webinar will be posted on EverThrive IL's website in the coming days:

<http://everthriveil.org/resources/starting-strong-webinars>



POLICY THREATS TO HEALTH ACCESS IN 2017



What will happen to the ACA?

- While we are concerned that the ACA could be repealed or changed for the worse, no one knows for sure exactly what will happen yet.
- The Trump administration and Congressional Republicans have promised to repeal and replace the ACA.
- They have also suggested large scale changes to the existing Medicaid and Medicare programs.
- We do not know if these plans will happen, when they will happen, and how many people may lose coverage as a result.

What We Do Know – Post Election

- Health coverage and access will be seriously threatened in the new administration.
- The following proposals are being floated by Congress and the incoming Administration:
 - ▣ Repealing the ACA with or without a replacement or a delay
 - ▣ Block granting or imposing a per capita cap on Medicaid
 - ▣ Privatizing Medicare
- We can and have stopped proposals like this in the past, but we **MUST** work together and work hard in the coming weeks and months to prevent this loss.

Positive Impacts of the ACA

- **The Affordable Care Act (ACA) has ushered in social, economic, and health achievements of historic proportions.**
 - ▣ 22 million people in the United States, including over 1 million Illinoisans, gain high quality, affordable health care insurance. 650,000 through Medicaid expansion; 388,179 through the Marketplace.
- **The ACA has helped ensure that millions receive the services and care they need to be healthy.**
- **The ACA has helped protect millions against discrimination for their health needs.**
- **The ACA has made coverage more affordable for millions.**
 - ▣ Marketplace enrollees in Illinois have received over \$700 million in premium tax credits to offset the cost of the plans; Due to the ACA, the number of people whose families are struggling to pay medical bills fell by 22 percent, or 13 million people, in the last five years.

ACA Repeal Threats are Real

- Election resulted in a Republican controlled Congress and White House; Repeal of the ACA has been their mantra
- HHS Secretary Nominee – Rep. Tom Price – outspoken ACA critic and creator of HR 3762 – which offers a blueprint for what repeal could look like.
- Congress will likely seek to repeal the law through the **Budget Reconciliation** process— meaning that only budget related measures could be included.
- There is no consensus around alternative health policies to enact after repeal – so no replacement plan is included in repeal efforts
- Repeal attempt could come as early as January 3, 2017

Why Budget Reconciliation?

- Budget reconciliation allows for an expedited consideration of certain tax, spending and debt limit legislation
- The Senate can consider and pass reconciliation bills relatively quickly and with only a simple majority, rather than the three-fifths majority often needed for controversial legislation.
- That's because reconciliation legislation isn't subject to filibuster and the scope of amendments is limited
- **Main TakeAway - only 51 votes are required; there are 52 Senate Republicans.**

Source: Center on Budget and Policy Priorities: [Introduction to Budget Reconciliation](#)

Which Parts of the ACA could Be Eliminated Through Budget Reconciliation?

Medicaid
Expansion

Individual
Mandate

Employer
Mandate

Financial
Assistance
(Premium Tax
Credits)

New Taxes

Which Parts of the ACA Wouldn't Be Impacted By Budget Reconciliation?

1. Pre Existing condition protections*
2. Parents' policies until age 26*
3. Essential health benefits—including preventive care
4. Ban on setting rates on health status
5. Limits on age rating

**President Elect Trump has said he wants to keep these two specifically*

All of these would require 60 votes in the Senate – Republicans have 52.

Why Is That a Problem?

- Taking away premium tax credits, cost sharing subsidies and individual mandate, while keeping the harder-to-change provision, like the pre-existing condition policy, would destabilize the insurance market.

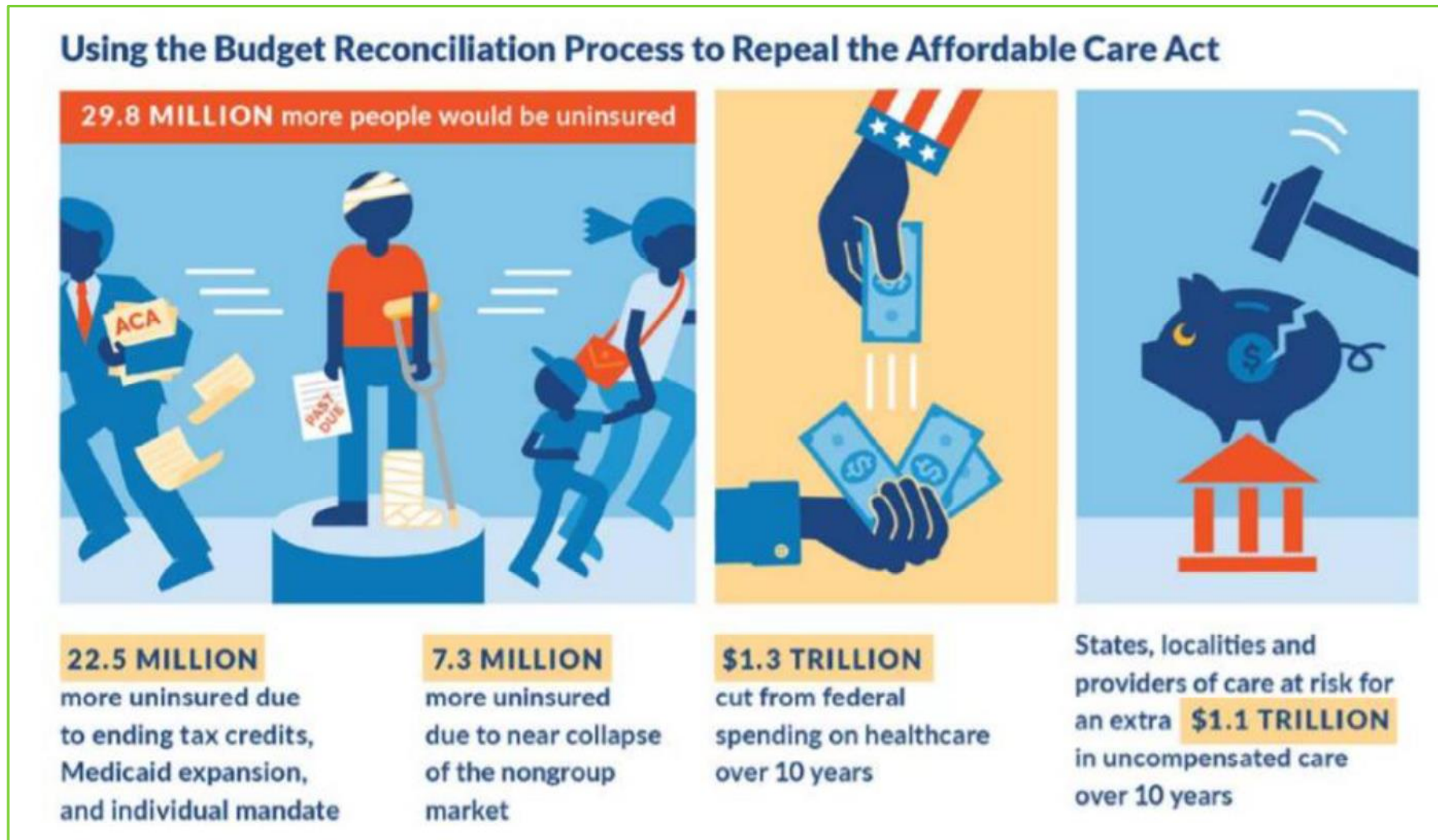


Source: [Why It Will Be Hard to Repeal Obamacare](#); NYTimes, December 3, 2016

Immediate Impact of “Partial” Repeal Through Reconciliation & No Replacement

- A repeal bill will likely delay (by two years or more) the elimination of the ACA’s Medicaid expansion and subsidies that help low- and moderate-income people buy marketplace coverage.
- BUT - without the mandates, people who are now enrolled — particularly healthy people who would no longer have to pay a penalty for lacking coverage — would drop coverage. Some employers could stop offering coverage to their workers.
- Likely that some insurers would drop out of the insurance marketplaces in 2018, with those that remain raising their premiums significantly since the people they cover will now be less healthy than in previous years. The premiums could rise to levels that most people who don’t qualify for subsidies cannot afford.
- ***“Delaying the effective date of repeal while a replacement is worked out likely won’t be enough to assure the stability and sustainability of the individual market,”*** December 7 Letter from American Academy of Actuaries to Congressional leaders

Impact of ACA Repeal Through Reconciliation



Source: Urban Institute [“Implications of Partial Repeal of the ACA through Reconciliation,”](#) Dec. 2016

Under Reconciliation - Number of Uninsured Children Would Increase by 4 Million

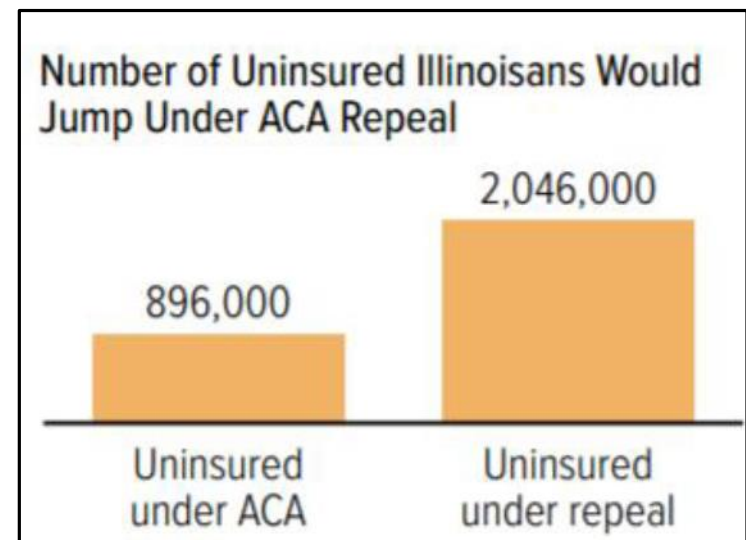
New Study Finds the Number of Uninsured Children Will More Than Double if the Affordable Care Act is Repealed



December 7, 2016 - Joan Alker

Impact of ACA Repeal in Illinois

- 1.2 million Illinois residents would lose coverage in 2019 under ACA Repeal
- Eliminating subsidies and reducing Medicaid enrollment would hit low- and moderate-income families.
- Illinois would lose \$49.9 Billion in Federal Funding and Pay More in Uncompensated Care



Other Parts of the ACA in Danger: Cost Sharing Reductions (CSRs)

- **House V. Burwell** (brought by House Republican lawmakers in 2014) charges that the Obama administration unconstitutionally gave billions of dollars to insurers (through Cost Sharing Reductions) that Congress hadn't formally appropriated.
- In May 2016 – a district court ruled in favor of House Republicans. But the Obama administration appealed the decision. Recently, a federal appeals court delayed its decision on the President's appeal.
- After January 20, a Trump administration could decide to drop the appeal
- This PLUS no replacement for CSR would stop payments going to insurers which would likely cause insurers to withdraw from exchanges.

Proposals To “Replace” Offer Few Solutions for People Losing Coverage

- Expanding Health Savings Accounts (HSAs)
 - ▣ Heavily favors higher-income people. Most uninsured people have low- and moderate-incomes and would receive few, if any, tax benefits from an HSA
- Expanding High Risk Pools
 - ▣ Tried and failed before. Waiting lists, high premiums.
- Allowing Insurers to Sell Plans Across State Lines
 - ▣ Allow insurers to avoid consumer protections, problems establishing networks, even insurers don't seem to like this.
- Fixed tax credits so people can buy their own insurance on the private market.
 - ▣ Everyone receives the same credit whether they are rich or poor.

Other Threats: Medicaid and CHIP

- Medicaid is working for over 3 million people in Illinois.
- Any changes to Medicaid or CHIP program would likely lead to increased costs to our state budget, reduced benefits for Illinois residents and worse health outcomes.
- YET - Congress has expressed interest in block granting Medicaid or imposing a per-capita cap on the program in 2017
 - Block grant = a fixed amount of funding to each state to finance the Medicaid program
 - Per capita cap = provide a fixed amount of funding per enrollee in each state to finance the Medicaid program

Block Grants = Large Cuts

- Block grant would cap federal Medicaid funding in order to achieve savings for the federal gov't.
- As a result, cost-shifting to the states would be very large.
- Push states to cut their Medicaid program deeply
- Medicaid is already efficient and innovative
- Medicaid block grant would lead to draconian cuts to eligibility, benefits and provider payment rates.

Source: The Center on Budget and Policy Priorities, [Medicaid Block Grant Would Slash Federal Funding, Shift Costs to States, and Leave Millions More Uninsured](#)

Medicaid Caps Could Stop Waiver Progress in Illinois

- Illinois has a pending waiver to transform the Medicaid Behavioral Health System which would bring more federal dollars to Illinois.
- The Illinois waiver would:
 - ▣ Provide more mental health and substance abuse treatment, reintegrate people coming out of jail into their communities, reduce recidivism, provide supportive housing for homeless populations, and provide crisis intervention for youth and adults.
- **A Medicaid Block Grant would end waivers and cap federal funding.**

ALL IS NOT LOST—WE CAN PROTECT
HEALTH ACCESS



Policy/Political Landscape Offers Some Hope

- Post-election [KFF health tracking poll](#) shows that Republicans may be shifting attitudes on ACA from “Repeal” to “Scale Back”
- No consensus by Congressional leaders or President Elect on a replacement plan
- Major health industry players have expressed concern over impact of repeal
 - ▣ **America’s Health Insurance Plans (AHIP):** “We don’t want to disrupt individuals who are relying on our coverage.” They have [listed out demands](#) including asking for continuation of CSRs targeted in House V. Burwell
 - ▣ **The American Hospital Association and the Federation of American Hospitals** released [a study](#) showing that repeal will “decimate hospitals’ and health systems’ ability to provide services, weaken local economies...and result in massive job losses.”
- Some Senate Republicans post-election have acknowledged repeal is complicated and potentially harmful (e.g., Senate Republicans from states that expanded Medicaid)

Dec. 9th - National Groups Announce New “Protect Our Care” Coalition

- Asian & Pacific Islander American Health Forum
- Center for American Progress
- Center on Budget and Policy Priorities
- Center for Law and Social Policy
- Community Catalyst
- Doctors for America
- Families USA
- MomsRising
- NAACP
- National Health Law Program
- National Latina Institute for Reproductive Health
- National Partnership for Women & Families
- National Urban League
- National Women’s Law Center
- SEIU
- Voices for Progress
- Young Invincibles

LET CONGRESS KNOW:

Repeal without Replace is NOT an Option

- ▣ Repealing the ACA is reckless – it puts 30 million people at risk of losing coverage and will send the health care system in disarray
- ▣ Families who need dependable access to care **deserve to know what is in any replacement plan** and to see proof that it would provide better, more affordable care, coverage and consumer protections than the ACA
- ▣ Repealing the health law would reverse the Medicaid expansion and put the financing and structure of Medicaid at great risk since proposals for block grants or per capita caps would follow.
 - These provide **a temporary illusion of flexibility** for the states. Over time, states will lose substantial funding for the program and will have to cut care.

ENROLL! ENROLL! ENROLL!

- Enrollment on the Marketplaces is HIGH showing overwhelming support and need for the ACA
 - ▣ More than 2 million people have enrolled in marketplaces across the country, including more than 60,000 in Illinois.
- There are three things consumers need to know now:
 - ▣ The ACA is still the law and open enrollment continues through January 31
 - ▣ Free, in person assistance is available
 - Consumers can schedule appointments through [the Connector](#)
 - ▣ Any significant repeal efforts will not happen overnight

More Tools for Enrollment

- [Enroll America Blog: 10 Things You Still have Time to Do Before Dec. 15th](#)
- Young Invincibles Week of Action starts today! Use Hashtag [#JustGetCovered](#) and graphics (samples below) plus the [#HealthyAdulting toolkit](#)
- [HHS – Open Enrollment Social Media toolkit](#): includes key messages, graphics and video, a social media calendar and more. It will be updated throughout Open Enrollment #4.



ACA/Medicaid Ryan White

Provides a comprehensive system of care that includes primary medical care and essential support services for people living with HIV

- The Ryan White Comprehensive AIDS Resources Emergency (CARE) Act was first authorized in 1990
- Covers nearly half million people (particularly in states that haven't expanded Medicaid)
- Payer of “last resort”

Game Changers

- For people living with HIV ACA the Marketplace and Medicaid expansion have been game changers.
- These developments, coupled with other key provisions of the ACA,
 - ▣ including an end to pre-existing condition exclusions, prohibition on insurance rate setting tied to health status, and a ban on annual and lifetime caps on coverage, meant that many more uninsured and underinsured people with HIV, including Ryan White clients, would have access to more comprehensive health insurance.

Gamer Changers

- ACA and Ryan White Combined are a Success:
 - ▣ 40% of people living with HIV are on Medicaid as a result of Medicaid expansion
 - ▣ AIDS Drug Assistance Program (ADAP) coordinates with Marketplace to help pay premiums on Marketplace Exchange
 - ▣ Results in 80% viral suppression for people on program

What's at stake

- Ryan White as a stand alone program is likely safe for the immediate future
- Threats:
 - ▣ Loss of coverage for people on Medicaid and Marketplace
 - ▣ Return to waiting list for ADAP program
 - ▣ Affordable health care coverage

What Can You Do to Protect Health Access?

1. **Share your story.** How has the ACA improved your life? How do you think your life would be different without this access to health coverage? Share your story here at the Illinois Coalition of Health Access website: www.ilcha.org/share With your permission, we will use these stories (we don't have to use your name) to share with elected officials.
2. **Call your Congressperson.** Members of Congress need to hear directly from the people affected by their decisions and a call is the best way to ensure you are heard. Find a step by step guide here: <http://everthriveil.org/content/keep-illinois-covered-advocacy-toolkit>
3. **Spread the word.** We must all stand together to protect access to health care. Share these steps and your story online using #KeepAmericaCovered and #IfILoseCoverage

ACA Defense Resources and Events

- Advocacy Toolkits to Use with Your Networks includes:
 - “Week of Action” [Social media toolkit](#) from Families USA – Find sample Twitter and Facebook posts and graphics to share.
 - **Dec. 15 “Protect Our Care” Thunderclap** – Join Families USA on Thursday, December 15, by sharing [their Thunderclap message asking Congress to protect our care.](#)
- EverThrive’s Defending the ACA webpage:
<http://everthriveil.org/content/keep-illinois-covered-advocacy-toolkit>
 - [#CoverageMatters](#) – New HHS Website and Social Media Campaign
 - Pledge form
 - Fact Sheet on Benefits of ACA in Illinois and What’s at Stake if Repealed
 - Consumer Talking Point Fact Sheet
 - Shriver Briefs on Paul Ryan’s “A Better Way” plan.
 - Coming soon – legislative district fact sheets

What can you do right now?

- If you're an enrollment assister or work with consumers –
 - ▣ Enroll as many people as possible into coverage.
 - ▣ Ask people you enroll to tell their story about how either the ACA or Medicaid has helped them.
 - ▣ Write at least one story a week of someone you enrolled into coverage.
- Sign the pledge on EverThrive's website to get updates
- Call local media outlets and ask them to write a story about how the ACA has helped people in their community.
- Set up a meeting with a clinic or hospital in your area and ask if they would be willing to host a media event or legislator tour/visit to talk about the importance of the ACA and Medicaid.

Sign onto Letter to Governor Rauner and Call In Day!

- Congress has asked each Governor for their recommendations for future health reforms impacting the ACA and Medicaid.
- A coalition of advocates, providers, and others are sending a letter to Illinois Governor Bruce Rauner to oppose Congressional efforts to repeal the Affordable Care Act (ACA). The letter:
 - Urges Governor Rauner to tell Congress not to repeal the ACA, in part or in whole, without an adequate replacement.
 - Urges Governor Rauner to oppose changes to the financing and coverage guarantees of the Medicaid program, such as a block grant or per capita cap.
- At this time we are only seeking organizational sign-ons.
- **Here's the link to read the letter and sign on:**
[http://events.aidschicago.org/site/Survey?ACTION_REQUIRED=URI ACTION_USER_REQUESTS&SURVEY_ID=5953](http://events.aidschicago.org/site/Survey?ACTION_REQUIRED=URI_ACTION_USER_REQUESTS&SURVEY_ID=5953)

How can we help you?

- Help you contact your state and federal legislators to set up a meeting with constituents who have been helped by the ACA and Medicaid. *We are scheduling in-district meetings for some now – let us know if you want to participate!*
- Help you write a story and pitch it to the local media in your area.
- Give you positive messages that consumers can use to talk to their friends, neighbors, churches, and local official about the ACA and Medicaid.
- Connect you with other navigators/advocates in your area to collaborate with on advocacy.
- Tell us what else you need?

Find our organizations on social media:

@AIDSChicago

<https://www.facebook.com/aidschicago/>

@EverThriveIL

<https://www.facebook.com/EverThriveIL/>

@shrivercenter

<https://www.facebook.com/shrivercenter/>



Questions?

Kathy Waligora, EverThrive Illinois

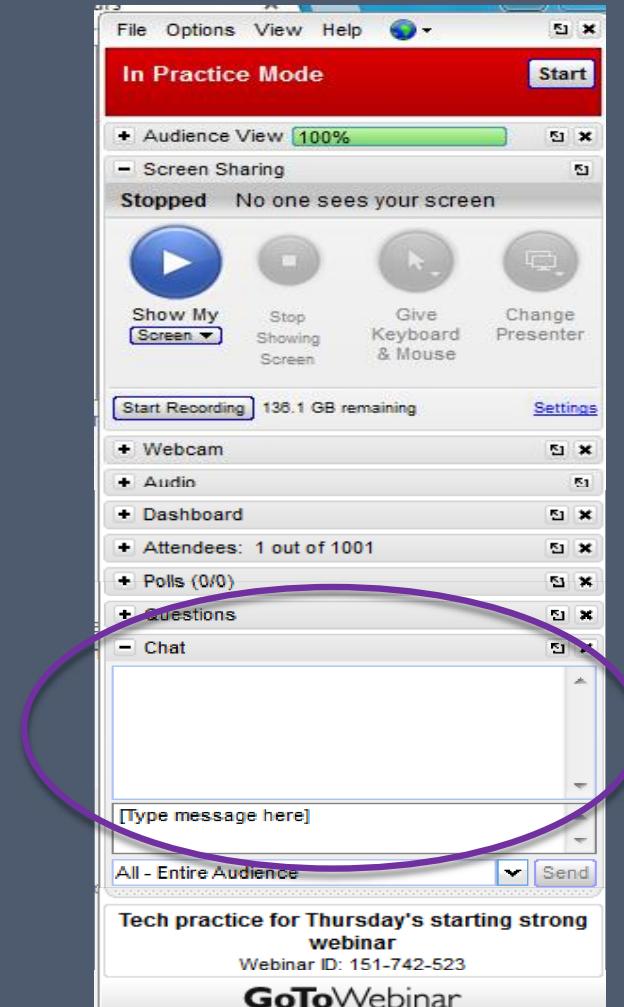
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- **Remember slides and a recording will be shared on the [EverThrive IL website](#) in the coming days