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AAHD Calls on Congress to Address Health Care Reform in a Responsible Way

The Affordable Care Act (ACA) brought about much-needed reforms for health insurance, addressed systemic discrimination, and expanded coverage to millions of Americans who had previously been uninsured. Many of the reforms established by the ACA were a great benefit for people with disabilities, including the millions of individuals and families who may acquire disabilities at some point or for some period in their lives. While the ACA is not perfect, it still went a long way toward ending the discrimination that existed in the health insurance industry towards people with disabilities, so any efforts to amend the ACA must take those protections into account and ensure that they are maintained. With the convening of the 115th Congress, the American Association on Health & Disability (AAHD) is calling on the new Congress and the incoming administration to address health care reform in a responsible way.

The current proposal to repeal the ACA but delay the implementation of repeal until 2019 or 2020 should be rejected. This strategy makes it appear as though Obamacare has been repealed even though the ACA will continue to remain the law. Congress should wait on a repeal vote until they have a replacement plan which is fully developed that they can put before the American people. Replacing the ACA in a more traditional manner is a more transparent approach as it will allow the public to see exactly what the alternative would be if the ACA were repealed. The “repeal and delay” approach also threatens to undermine the health insurance market as insurers will need to make determinations regarding whether they will participate in the market and if so, what premiums to charge. These decisions by the insurance companies will need to be made before any ACA replacement plan is put forward, meaning that the insurance companies will remain in the dark and may very well choose to withdraw from the market rather than participate in the unknown. An en masse exodus by multiple health insurance companies would most assuredly result in higher premiums being charged by the insurers who do decide to stay. In other words, repealing now but replacing later could very well result in a collapse of the entire individual health insurance market.

When Congress does consider a replacement plan for the ACA, it needs to ensure that the significant advancements made for people with disabilities are preserved. We have already tried the experiments of high risk pools and block granting Medicaid and they failed. The ACA built on the existing structures of private insurance and Medicaid to expand coverage to those who either could not afford their own coverage or were denied access to the market due to their health condition. This work should not be so quickly discarded and any replacement for the ACA should continue to utilize these two important methods of coverage. In doing so, the ACA replacement should preserve the following protections which are included in the ACA and are fundamental to the rights of people with disabilities and their need to have adequate health insurance:

- Prohibition against Denial of Coverage for Pre-Existing Conditions
- Guaranteed Renewability of Coverage

Dedicated to better health for people with disabilities through health promotion and wellness

- Prohibition against Individual Underwriting
- Essential Health Benefits Required in Every Qualified Health Plan
- Prohibition against Lifetime Monetary Caps
- Prohibition against Discrimination in Health Programs
- Extension of Mental Health Parity to the Individual and Small Group Market
- Medicaid Expansion

The protections listed above are critical to people with disabilities and any future health reform efforts need to take these into consideration and preserve the advancements we've made. For those reasons, AAHD calls upon Congress and the Trump administration to forgo repeal of the ACA until a replacement plan can be fully formulated in a way that maintains these protections and guarantees the coverage on which millions of Americans now rely.