

Subject: REDC Policy Update 11.15.19

Hi REDC Members,

Below is your weekly policy update on the SERVE Act and ACA Stabilization. Wishing each of you a nice weekend!

SERVE Act

House of Representatives:

Since REDC's Advocacy Day, we've had 5 new co-sponsors on the legislation which I can say are a direct result of those meetings including:

Rep. Roybal-Allard (D-CA)- **Thanks Alsana**

Rep. Doris Matsui (D-CA)- **Thanks Alsana**

Rep. Jason Crow (D-CO)- **Thanks ERC**

Rep. Judy Chu (D-CA)- **Thanks Alsana**

Rep. Joe Courtney (D-CT)- **Thanks Walden**

Discussions on Next Steps:

We discussed with Moulton & Mast's office next steps for finding an offset for the cost of the SERVE Act in preparation for NDAA

In short, since the current NDAA is being negotiated between the House/Senate, they said we should all wait until that is finalized until starting the process of seeking an offset. This likely won't be until the New Year, so we'll hang tight.

Senate:

We haven't had any new co-sponsors since introduction; however, the Senate process for co-sponsorship typically takes a bit longer

Ranking Member Gillibrand on the Military Personnel Subcommittee is interested in the SERVE Act, and her staff is bringing the Act to her for consideration of inclusion/discussion in an upcoming December 4th hearing on suicides in the military.

Lastly, we are still working to coordinate for our lead- Senator Shaheen to visit Cambridge Eating Disorder Center in Concord for a press event.

ACA Congressional

Republican Study Committee Attempts to Build Momentum on ACA Alternative

Rep. Mike Johnson (R-LA), the caucus chair handed President Trump a list of conservative endorsements for the group's recently unveiled health care plan.

Endorsements include: Heritage Foundation, FreedomWorks, Americans for Prosperity and Americans for Tax Reform

The RSC [released its plan last month](#), blasting Democrats' support for "Medicare for All" and vowing to protect coverage for people with preexisting conditions. But the plan includes measures that critics say wouldn't guarantee

coverage for sick patients, such as letting states largely decide minimum health benefits.

Senators Shaheen (D-NH) and Murphy (D-CT) Seek Reversal of Administration Insurance Plan Change

The Fair Indexing for Health Care Affordability Act would restore the ACA rules on how the health law calculates maximum out of pocket limits and premium tax credits each year.

The Administration changed the formula earlier this year advocates say will raise premiums for millions of customers. The liberal Center on Budget and Policy Priorities in April analyzed the change.

ACA Regulatory

ACA 2020 Enrollment Lags Slightly From Last Year

The first full week of sign-ups saw about a 10% decline in ACA renewals compared to the first full week of sign-ups last year, but a 6% increase in new shoppers.

It is still too early to draw conclusions about open enrollment.

Trump Administration's Health Agenda in Legal Limbo

Medicaid work requirements have been halted in 3 states after a federal judge ruled against the policy. In the wake of these decisions, IN and AZ voluntarily halted the rollout of their own work rules.

Trump's recent order that limited **visas to immigrants** who aren't "health burdens" was temporarily paused last weekend.

Association health plans remain on hold after a district court judge froze the ACA alternative in March. The case was appealed and heard this week in front of a panel of appellate judges; however, the panel didn't signal how quickly they might issue a decision on the rules. If they decide to sidestep whether the rules violate the ACA and leave that to the federal government's interpretation, it's possible the rules could face additional challenges in court. For AHPs that were created under the new rule, it is likely they will disband by the end of year to honor the ruling in March as a decision by the appellate court is not expected before the end of the year.

The Justice Department asked a federal appeals court for a 45-day extension relating to **the Short-Term, Limited Duration Insurance** litigation which would push the deadline to January 21, 2020.

State Actions

Pennsylvania: Individual health plan premiums to rise 4%

Increase in the small group market will be 10%.

More insurers have entered the market for 2020 and the number of counties with only one insurer will decrease to six.

New Hampshire insurance commissioner Orders Alieria Healthcare and Trinity Healthcare to stop selling/renewing insurance in the state

About 1,400 New Hampshire residents will have to find new health insurance plans.

Aliera has been marketing and administering health coverage on behalf of Trinity, a health care sharing ministry.

Health care sharing ministries are exempt from state insurance regulation if they can show they have been in existence since 1999 and their members share medical expenses and a common set of religious beliefs. Regulators say Trinity doesn't meet the requirements. Many other states have cases against this company that are pending.

Best,
Allison and Katrina