

08/18/2022

Hello REDC Members,

Here is this week's policy update.

Story Collection on Insurance Discrimination

- We are continuing to collect stories on insurance discrimination to send to the Department of Labor.
- Please provide examples for a payer/plan(s) discriminatory practice in covering eating disorders care over the last three years.
- Complete the survey here: <https://forms.gle/wSYoKoTN56YHGHLw9>.

Public Health Emergency Update

- Friday (Aug. 12) went by without HHS' promised 60-day advance notice if it planned to let the COVID-19 public health emergency expire in October, indicating the Biden administration likely will renew the PHE for at least another term.
- Extending the PHE an additional 90 days come October would allow more time before the omnibus spending law's 151-day extension of telehealth waivers kick in and give lawmakers and stakeholders additional time to pass another telehealth waiver extension or permanent telehealth legislation.
 - A handful of flexibilities were left out of the post-PHE 151-day telehealth waiver extension included in the omnibus funding law and some lobbyists say those flexibilities need to be codified before the PHE ends. Specifically, telehealth payment parity, interstate licensure, prescription of controlled substances and HIPPA-compliant platform provisions weren't included in the 151-day extension.
 - Senator Warner (D-VA) sent a letter to the Department of Justice and the U.S. Drug Enforcement Administration asking the agencies to explain their plan to ensure continuity of care for patients being prescribed controlled substances via telehealth flexibilities.
 - The letter posed a series of questions to ensure that there is a plan in place for Americans to continue to receive care uninterrupted.
 - The copy of the letter can be read [here](#).

REDC Becomes Endorsing Partner of Telehealth Awareness Week

- Led by the American Telehealth Association, REDC has joined as an official endorsing partner organization for the upcoming Telehealth Awareness Week taking place September 18-24.
 - REDC's logo will be highlighted on the [partners page soon](#).

Inflation Reduction Act Signed Into Law

- The IRA passed last Friday and signed into law earlier this week.
- One of the provisions in the bill extends the ACA premium tax credits an additional 3 years as they were set to expire on January 1, 2023.
- The Affordable Care Act (ACA) created subsidies to offset the cost of health insurance, capping how people signing up on the ACA Marketplaces pay at a certain percent of their income. These subsidies work on a sliding scale. Under the original law, people whose incomes are at or just above the federal poverty level (FPL) received the most generous subsidies, and no subsidies were provided for those above 400 percent of poverty.
 - However, the American Rescue Plan Act (ARPA) expanded the premium tax credits for a two-year period, making them more generous for lower-income beneficiaries and also extending them beyond the 400 percent FPL cut-off.

Florida Sued for Medicaid Ban on Gender-Affirming Care

- A coalition of transgender-rights organization is preparing to sue Florida to stop the state's Medicaid regulator from banning coverage of gender affirming treatments.
 - The coalition is expecting to file the case in federal court and will seek a preliminary injunction to halt the ban from going forward.
- The new rules prohibit Medicaid from covering treatments such as puberty blockers, hormone therapies or surgical procedures for gender dysphoria.
- Florida's Medicaid regulator, the Agency for Health Care Administration, finalized the rules on Thursday and goes into effect Sunday. The agency oversees most of the state's \$36.2 billion federal-state program, which covers almost 5.4 million people.
- Florida's ban will affect up to 9,000 of the state's Medicaid enrollees who are transgender. Florida joins nine other states that have already banned Medicaid dollars from going to gender-affirming care, according to the Movement Advancement Project, a nonprofit research think tank.

Have a great weekend!

Best,

Center Road Solutions