

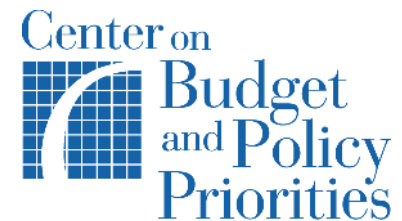
# Developments in Health Care

**Sarah Lueck and Laura Colbert**  
**NAIC Consumer Representatives**

December 3, 2020



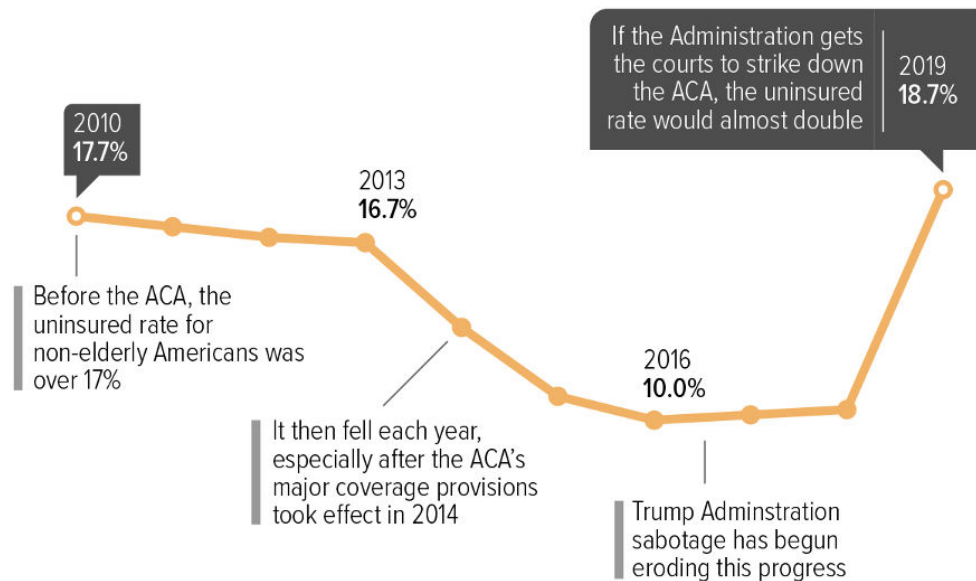
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# The Many Risks of the ACA Repeal Lawsuit

- Staggering increase in the uninsured
- Threatens Medicaid expansion for millions
- Adverse impacts compounded in the COVID crisis
- Would exacerbate racial disparities in access to health coverage
- Wipe out pre-existing condition protections
- Very large tax cuts for those who need it least: high-income people and certain large corporations

## Uninsured Rate Would Spike If Supreme Court Strikes Down ACA



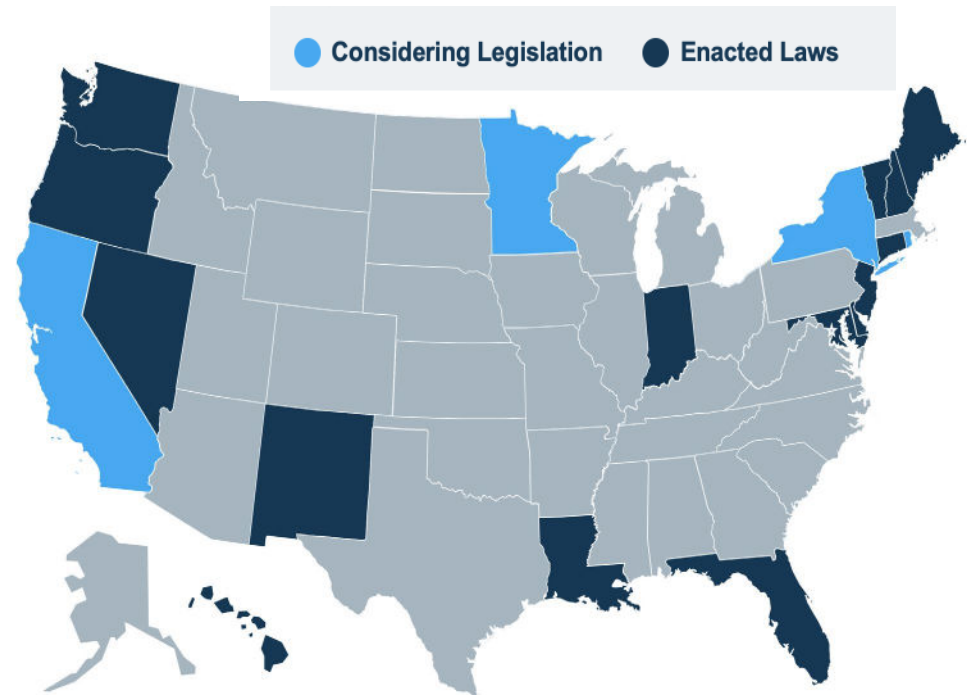
Source: CBPP estimate based on Urban Institute (2019)

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For more information, see: <https://www.cbpp.org/blog/the-many-risks-of-the-aca-repeal-lawsuit-a-rundown>

# States Can't Protect Against Harmful Effects of ACA Repeal

- If the Court overturns the Medicaid expansion or Marketplace financial assistance, states would be hard-pressed to replace them.
- States don't regulate self-insured plans that cover most workers and would be unable to reinstate key protections.



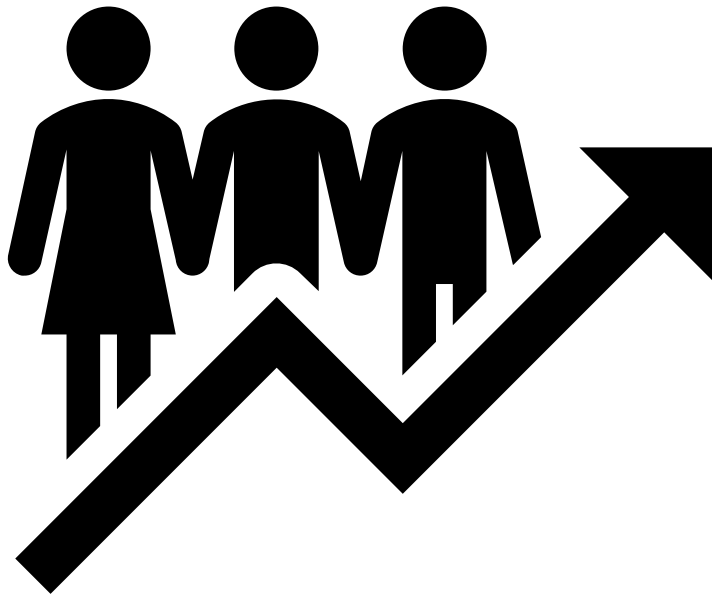
Source for map: <https://avalere.com/insights/states-act-to-ensure-coverage-protections-in-advance-of-aca-decision>, March 25, 2020

# Marketplace Open Enrollment

- Nov. 1 – Dec. 15 in most states
- The latest data
- Most state-based marketplaces provide more time

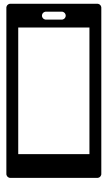


# Opportunities for Federal Action *(that we urge states to advocate for)*



- Increase and improve outreach about health coverage
- Broaden enrollment opportunities for people in the marketplaces
- Fix the "family glitch"
- Reverse public charge rules and address climate of fear for immigrants and their family members

# States Can Help Boost Enrollment



- Increase marketing and outreach



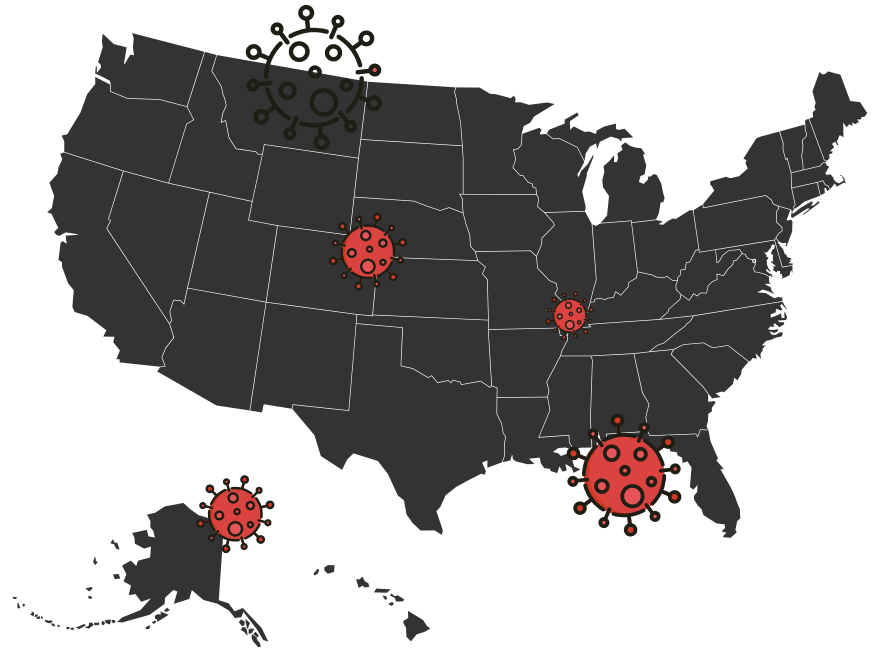
- Extend enrollment periods (SBMs)



- Work with other state agencies to get the word out

# States Have Additional Opportunities to Make Progress in a Crisis

- Call on Congress for COVID Relief
- Adopt the ACA Medicaid expansion
- Consider health insurer fees to generate needed funding
  - Recent legislation in Colorado and New Jersey
- Protect against subpar plans (short-term, indemnity, etc.)
- Surprise billing protections



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