Fixing Health Care: What’s Next?

A Deep Dive sponsored by the NCSL Health and Human Services Committee
Tuesday, August 8, 2017
South Dakota Senator Deb Peters
Senior Assistant Senate Majority Leader
NCSL President-Elect

Richard Moore
President of the Massachusetts Assisted Living Association
Former Massachusetts Senate President Pro-Tempore
NCSL President 2010-2011
NCSL welcomes

Jane Norton
Director of the Office of Intergovernmental and External Affairs
U.S. Department of Health and Human Services
NCSL welcomes

Chiquita Brooks-LaSure
Managing Director of Manatt Health

Sara Rosenbaum, JD
Professor, Health Law and Policy
George Washington University

Joe Antos, PhD,
Resident Scholar, Health Care
American Enterprise Institute
Professor, Emergency Medicine, George Washington University

Barbara Anthony, JD
Senior Fellow in Health
Pioneer Institute

Kim Holland
Vice-President
Blue Cross/Blue Shield Association
NCSL Welcomes

Kenneth Preede
Vice President
The Commonwealth Care Alliance

David Woodmansee
State Director
American Cancer Society Cancer Action Network

2013

- <10% (4 states plus D.C.)
- 10%–14% (18 states)
- 15%–19% (18 states)
- ≥20% (10 states)

2014

- <10% (11 states plus D.C.)
- 10%–14% (25 states)
- 15%–19% (12 states)
- ≥20% (2 states)

2015

- <10% (23 states plus D.C.)
- 10%–14% (21 states)
- 15%–19% (6 states)

Source: Fall 2016, The Commonwealth Fund
MAP OF HEALTH INSURANCE EXCHANGE STRUCTURES - 2016-2017

Use this interactive map to view individual state snapshot information. Hover on state for quick facts; Click on state for details on legislation and 2014-17 implementation.

|---------------------|----------------------------------------------------|--------------------------|---------------------------------------------------|---------------------------------------------|

[Map of the United States showing different states colored based on exchange structure categories.]
HHS/CMS Insurer Coverage map, published Aug. 2, 2017

County by County Analysis of Current Projected Insurer Participation in Health Insurance Exchanges

- 19 counties projected to have no carriers (0.60%)
- 1,352 counties projected to have 1 carrier (43.04%)
- 13,008 Exchange participants projected without coverage (0.14%)
- 2,357,974 Exchange participants projected without choices (25.63%)

Exchange Carrier Number:
- 0 Carriers (19 Counties)
- 1 Carrier
- 2 Carriers
- 3 Carriers
- > 3 Carriers

- All State Exchange data is self-reported from the Exchanges to CMS (CA, CO, CT, DC, ID, MA, MD, MN, NY, RI, VT, WA).
- All data reflected on this map is point in time as of 8/2/2017 and is expected to fluctuate.
- This map represents continued 2017 county-level participation in 2018 unless a carrier has publicly announced otherwise.
- Enrollment numbers reflected are plan selections as of the end of Open Enrollment, January 31, 2017, and do not include enrollment in single carrier counties for State-Based Exchanges.
“How Many People Across America Are at Risk of Losing Their Health Insurance?”
(If ACA is repealed, using CBO analysis)
Source: Urban Institute, published NY Times 7/27/2017
Which States Have Expanded Medicaid?

As of March 2017, approximately 74.5 million people were enrolled in Medicaid (and/or CHIP); this is an increase from 56 million in 2014, when some states expanded their Medicaid programs with significant initial support from the federal government under provisions of Public Law 111-148, also known as the Affordable Care Act. The expansion populations have primarily included eligible low-income adults with incomes up to 138 percent of the federal poverty level. Thirty-one states plus D.C. have decided to proceed with the expansion, while 19 states declined to expand. Six states proceeded with expansion through waivers—"waiver applications" request permission from the federal government to design alternative expansion opportunities. More information about waivers is included on page 8.

**Medicaid Expansion**

State decisions regarding Medicaid expansion as of March, 2017.

This map on the NCSL website also provides overview information on the breakdown of insurance coverage for each state's population. The categories include: percent of the population covered by Medicaid, Medicare, private insurance, and the percent uninsured.
Can states change their own insurance and benefit design?

State Legislation Related to Section 1332 Health Innovation Waivers

LEGEND
- Purple: Waiver filed + Approved
- Green: Enacted 1332 laws
- Orange: Bill(s) filed; did not pass
- White: No listed activity

Research by NCSL - July 31, 2017 (c)
See NCSL report for bill content
State Opt-outs and Legislative Challenges to ACA

- 22 states have statutes (2011-2015) to block some state involvement in ACA
- No individual/employer mandate, essential benefits, marketplaces.
- Block state collection of fines or marketing
- Several provisions do not include a state role > a protest vote or could apply if federal law changes

See NCSL website for details