



In the  
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**ACA**



President Donald Trump marks the one-month anniversary of his administration on February 20. His first weeks in office have been focused on filling key policy positions as well as laying the groundwork for changes to the Affordable Care Act (ACA).

## What is the latest impact to members' health insurance?

Despite the swirl of activity in Washington, the ACA remains in place as it was before President Trump took office. Congress is considering legislation to repeal and replace the law, but a transition period is contemplated to smooth the implementation. Similarly, HHS already proposed regulatory changes under the ACA, described earlier, to stabilize the market for 2018 and provide long-term improvements. HCSC will continue to monitor the activity in Washington and work with lawmakers, regulators, members, providers and other health care professionals to ensure individuals will continue to have access to private insurance plans that meet their health care needs.

## What is happening with the Department of Health and Human Services?

Rep. Tom Price, R-Ga., was confirmed Feb. 10 as the new HHS secretary. His nomination was approved on a 52-47 vote along party lines. Next up is the nomination of Seema Verma as administrator of the HHS Centers for Medicare & Medicaid Services. The Senate Finance Committee is scheduled to begin confirmation hearings for Verma for the CMS post Feb. 16. Verma is a Medicaid consultant who is best known as the architect of the Healthy Indiana plan for Medicaid expansion under ACA.

## What is happening with the Affordable Care Act?

President Trump said previously there would not be any legislative proposals related to the ACA until Price was confirmed. Now that he is in place, Secretary Price could begin the "repeal and replace" process for the Obama administration's health care law. Secretary Price, an orthopedic surgeon, has been an outspoken critic of the ACA. While he was in Congress, he called the law "failing" and introduced legislation to repeal it. While it did not advance, it made clear his position on a replace package.

Even before Secretary Price's confirmation, top Republican leaders continued meeting to work toward a Republican consensus on the details of legislative efforts regarding the ACA. Senate Health, Education, Labor, and Pensions Committee Chairman Lamar Alexander, R-Tenn., said Republicans have not made an ACA replacement plan public in part because President Trump said plans would be submitted after Price's confirmation.

The President said last week that a replacement plan may not be completed in 2017. However, House Speaker Paul Ryan, R-Wis., said Congress will pass final ACA repeal and replacement legislation this year, and he expects Congress to pass budget reconciliation legislation by April for Fiscal Year 2017 to repeal and partially replace the ACA.



## What is the latest update on ACA market stabilization?

HHS released a proposed rule entitled “Patient Protection and Affordable Care Act: Market Stabilization” on Feb. 15. The proposed rule discusses the following possible changes:

- End this fall’s open enrollment period on December 15 so that all 2018 coverage starts on Jan. 1.
- Tighten verification for special enrollment eligibility.
- Permit insurers to sell plans with lower actuarial values.
- Defer to state insurance departments on network adequacy.

The public comment period ends in early March. CMS plans to work quickly to issue the final rule and will provide issuers with an updated rate filing calendar to ease compliance with the final rule.