

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 181 Session of 2017

INTRODUCED BY DeLUCA, DERMODY, HANNA, MARKOSEK, FRANKEL, YOUNGBLOOD, GOODMAN, BOYLE, BARBIN, BRADFORD, BULLOCK, CARROLL, CEPHAS, COMMITTA, P. COSTA, CRUZ, DALEY, DAVIDSON, DAVIS, DEAN, DeLISSIO, DONATUCCI, DRISCOLL, FABRIZIO, FITZGERALD, FREEMAN, GAINNEY, GERGELY, J. HARRIS, HILL-EVANS, KAVULICH, KIM, KINSEY, KIRKLAND, KRUEGER-BRANEKY, KULIK, MADDEN, MATZIE, McCLINTON, McNEILL, D. MILLER, NEILSON, O'BRIEN, RABB, SAMUELSON, SCHLOSSBERG, SCHWEYER, SIMS, SOLOMON, STURLA, THOMAS, VITALI, WARREN, BRIGGS, V. BROWN, D. COSTA, DAWKINS, DEASY, FLYNN, HARKINS, W. KELLER, MULLERY, PASHINSKI, RAVENSTAHL, ROEBUCK AND WHEATLEY, MARCH 22, 2017

REFERRED TO COMMITTEE ON INSURANCE, MARCH 22, 2017

A RESOLUTION

1 Urging the President and the Congress of the United States to
2 not repeal the Patient Protection and Affordable Care Act.

3 WHEREAS, In 2010, the Congress of the United States passed
4 and then President Barack Obama signed the Patient Protection
5 and Affordable Care Act (Public Law 111-48, 124 Stat. 119),
6 known as the Affordable Care Act or the ACA; and

7 WHEREAS, Often referred to as Obamacare, the Affordable Care
8 Act (ACA) established a comprehensive series of health insurance
9 reforms designed to make universal, affordable health insurance
10 coverage available to all Americans while controlling rising
11 health care costs and ending certain insurance industry
12 practices that limited access to health coverage; and

13 WHEREAS, Specifically, provisions of the ACA expand access to

1 health insurance coverage by creating transparent health
2 insurance marketplaces or health insurance exchanges, allow
3 young adults to stay on their parents' health plans until age
4 26, expand Medicaid and establish a system of tax credits and
5 penalties designed to encourage consumers to purchase individual
6 coverage and to incentivize businesses to provide coverage to
7 their employees; and

8 WHEREAS, A key provision of the ACA requires all health
9 insurance plans sold in the health insurance marketplace, non-
10 marketplace plans, small group plans and Medicare and Medicaid
11 to provide coverage for 10 Essential Health Benefits; and

12 WHEREAS, The Essential Health Benefits have established a
13 vital floor for health insurance coverage nationwide with no
14 annual dollar caps, providing older and working Pennsylvanians
15 and their families and individuals with mental health challenges
16 or substance use disorders more health care benefits and a
17 lesser financial burden; and

18 WHEREAS, The Essential Health Benefits embodied in the ACA
19 include, but are not limited to, preventive care, emergency
20 services, hospitalization, prescription drug coverage, pediatric
21 services, maternity and newborn care and mental health and
22 addiction treatment services; and

23 WHEREAS, The ACA further authorizes three types of financial
24 assistance to help people afford health insurance coverage:
25 Medicaid expansion for people with incomes below 138% of
26 poverty, refundable premium tax credits for people with incomes
27 from 100% to 400% of the poverty level who purchase health
28 insurance coverage through Federal or State marketplaces, cost-
29 sharing subsidies for people with incomes from 100% to 250% of
30 poverty to provide lower deductibles and copays when purchasing

1 silver plans in the marketplace; and

2 WHEREAS, The ACA has established a mechanism for consumers to
3 appeal coverage determinations; and

4 WHEREAS, The ACA has established a system of navigators to
5 assist consumers in navigating the health insurance marketplace;
6 and

7 WHEREAS, The ACA provides incentives to increase the number
8 of primary care doctors, encourages primary care doctors to
9 practice in medically underserved rural and urban areas,
10 promotes alternative payment methodologies designed to improve
11 the value of medical care and works to link patients with
12 community-based resources and other services designed to reduce
13 unnecessary hospitalizations and use of emergency departments;
14 and

15 WHEREAS, The ACA has modified Medicare by slowing the growth
16 of payment rates to hospitals and other health care providers,
17 reducing payments to Medicare Advantage plans and improving
18 benefits for enrollees; and

19 WHEREAS, The Commonwealth of Pennsylvania is one of 28 states
20 that participate in the ACA through a federally facilitated
21 Health Insurance Marketplace; and

22 WHEREAS, Since full implementation of the ACA in 2015, United
23 States Census data reveal that the Commonwealth of
24 Pennsylvania's uninsured rate decreased from 10.2% in 2010 to
25 6.4% in 2015; and

26 WHEREAS, According to the Insurance Department of the
27 Commonwealth of Pennsylvania, more than 412,347 Pennsylvanians
28 enrolled in marketplace plans in 2016; and

29 WHEREAS, Of those enrollees, 78% received financial
30 assistance at an average of \$248 per month to offset premium

1 costs; and

2 WHEREAS, Because of the financial assistance authorized under
3 the ACA, Pennsylvanians in the individual marketplace received
4 nearly \$1 billion in premium subsidies in 2016; and

5 WHEREAS, The Insurance Department of the Commonwealth of
6 Pennsylvania reported that as of February 2017, more than
7 426,000 Pennsylvanians had signed up for health insurance
8 coverage in the health insurance marketplace for 2017; and

9 WHEREAS, In the case of Medicaid enrollment, the Insurance
10 Department of the Commonwealth of Pennsylvania reports that more
11 than 700,000 Pennsylvanians have received health insurance
12 coverage through Medicaid expansion since implementation in
13 January 2015 and that every county in the Commonwealth of
14 Pennsylvania experienced an increase in Medicaid enrollment
15 ranging from 14% to 28%; and

16 WHEREAS, Medicaid expansion has enabled the Commonwealth of
17 Pennsylvania to provide essential drug and alcohol treatment to
18 more than 124,000 Pennsylvanians; and

19 WHEREAS, More than 51,000 Pennsylvanians have access to
20 substance use disorder treatment through coverage obtained
21 through the Federal marketplace, thereby assisting in the
22 Commonwealth of Pennsylvania's fight against the opioid and
23 heroin epidemic; and

24 WHEREAS, Due to the ACA, nearly 1.1 million Pennsylvanians or
25 more than 10% of Pennsylvanians under 65 years of age, including
26 thousands of working Pennsylvanians who reside in every county
27 in the Commonwealth of Pennsylvania, have health insurance
28 coverage; and

29 WHEREAS, Data compiled by the Pennsylvania Cost Containment
30 Council revealed that uncompensated care for the Commonwealth of

1 Pennsylvania's general acute care hospitals increased every year
2 from 2001 until 2015 but was reduced by 8.6% or \$92 million in
3 2015 after implementation of Medicaid expansion; and

4 WHEREAS, By 2016, uncompensated care for the Commonwealth of
5 Pennsylvania's general acute care hospitals was reduced by
6 approximately \$280 million because of Medicaid expansion; and

7 WHEREAS, In 2015, nearly 297,000 seniors in the Commonwealth
8 of Pennsylvania saved approximately \$1,000 on prescription drugs
9 because of ACA provisions that closed the Medicare donut hole,
10 totaling \$313 million in savings for older Pennsylvanians; and

11 WHEREAS, If the Commonwealth of Pennsylvania had not opted to
12 expand Medicaid, the Commonwealth would have forfeited \$37.8
13 billion in Federal funds over the next 10-year period for the
14 benefit of older and working Pennsylvanians, their families and
15 individuals with mental health or substance use disorders; and

16 WHEREAS, The ACA has had a positive impact on the
17 availability and affordability of health insurance coverage and
18 access to health care in the Commonwealth of Pennsylvania since
19 2015, as evidenced by the decline in the uninsured rate for non-
20 elderly adults from 11.7% in 2014 to 8.7% in 2015; and

21 WHEREAS, There has been a corresponding increase in the
22 number of health care providers, receipt of more than \$1.8
23 billion in payments by health care providers for treating new
24 Medicaid enrollees, a \$2.2 billion increase in economic output,
25 the addition of an estimated 15,500 private sector jobs, mostly
26 in the health care field, and generation of an estimated \$53.4
27 million in State tax revenue; and

28 WHEREAS, Although the Commonwealth of Pennsylvania's
29 experience from ACA implementation through Medicaid expansion
30 and a federally facilitated health insurance exchange has had a

1 positive impact on the ability of working Pennsylvanians to
2 afford health insurance coverage, millions of working
3 Pennsylvanians, including many working families and their young
4 adult children, in rural and urban regions of the Commonwealth
5 of Pennsylvania may lose their health insurance coverage and
6 access to affordable health care if the Congress of the United
7 States passes and the President signs the American Health Care
8 Act, thereby repealing key provisions of the Affordable Care
9 Act; and

10 WHEREAS, Repeal of two key provisions of the ACA, Medicaid
11 expansion and tax credit subsidies for health insurance on the
12 Health Care Marketplace, would result in the loss of health
13 insurance coverage by more than 1.1 million Pennsylvanians and
14 an estimated 3,525 premature deaths annually; and

15 WHEREAS, Reducing Federal spending on Medicaid would reverse
16 a 50-year trend of expanding Medicaid in order to provide health
17 care for the most vulnerable persons in the Commonwealth of
18 Pennsylvania and nationwide; and

19 WHEREAS, The proposed use of Medicaid block grants or a per
20 capita cap would likely reduce the number of Pennsylvanians
21 eligible for Medicaid, limit the coverage for those who remain
22 eligible or result in the use of enrollment caps or waiting
23 lists; and

24 WHEREAS, Hospitals in every region of the Commonwealth of
25 Pennsylvania would face a decline in revenue by nearly \$1.6
26 billion, and some hospitals and medical practices, especially in
27 rural and urban areas, may not survive; and

28 WHEREAS, Repeal of the ACA would result in an estimated
29 137,000 lost jobs, mostly in the health care industry, an
30 estimated \$76.5 billion reduction in the Commonwealth of

Pennsylvania's gross State product and an estimated \$24 million reduction in State and local tax revenues over five years; and

WHEREAS, It has been estimated that by 2019, the number of uninsured Pennsylvanians would increase from 711,000 to 1,667,000; and

WHEREAS, ACA repeal would add more than \$1.4 billion to the Commonwealth of Pennsylvania's structural deficit; and

WHEREAS, ACA repeal would have a devastating effect on Pennsylvanians with substance use disorders and their ability to receive addiction treatment; and

WHEREAS, ACA repeal is estimated to result in nearly \$36 billion decrease in Federal funding for health care for Pennsylvanians and \$7.8 billion more in State spending over the next decade; and

WHEREAS, ACA repeal would likely mean higher premiums, deductibles and cost-sharing for the 57 million senior citizens and disabled Americans nationwide enrolled in the Medicare program; and

WHEREAS, ACA repeal would also bring back the donut hole in Medicare's prescription drug coverage, thereby seriously impacting older Pennsylvanians' ability to afford prescription drugs; and

WHEREAS, According to estimates by the nonpartisan Congressional Budget Office, ACA repeal would increase Medicare spending by \$802 billion over 10 years; and

WHEREAS, ACA repeal would likely reverse the positive reductions in the use of hospital emergency departments for primary care and the positive reductions in incidents of unnecessary hospitalization achieved through the use of expanded primary care and community resources; and

1 WHEREAS, ACA repeal would likely increase the use of
2 emergency departments for primary care, undermining the
3 financial ability of hospitals while driving up the overall cost
4 of health care in the Commonwealth of Pennsylvania; and

5 WHEREAS, As introduced in the Congress to replace the ACA,
6 the American Health Care Act would, among other things, provide
7 \$600 billion in tax cuts primarily to higher-income individuals
8 and implement an age tax that would allow insurers to charge
9 older Pennsylvanians five times the amount charged to young
10 adults; and

11 WHEREAS, The American Health Care Act further proposes that
12 income-based premium subsidies be replaced by age-based
13 subsidies, which would harm Pennsylvanians with moderate incomes
14 and make health insurance coverage unaffordable, driving many
15 older Pennsylvanians and vulnerable Pennsylvanians out of the
16 health insurance market; and

17 WHEREAS, Provisions of the American Health Care Act provide
18 for a reduction in tax credits, which would increase health
19 insurance premiums for many working Pennsylvanians; and

20 WHEREAS, Elimination of cost-sharing subsidies, repeal of the
21 Medicaid entitlement to coverage and elimination of enhanced
22 Federal funds for new enrollment in Medicaid in 2020 would
23 result in a massive shift of costs to the Commonwealth of
24 Pennsylvania, with more uninsured Pennsylvanians and fewer
25 Pennsylvanians receiving affordable health care; and

26 WHEREAS, Federal funds made available to the Commonwealth of
27 Pennsylvania under the ACA supplanted Commonwealth funds to
28 provide health care benefits to Pennsylvanians; and

29 WHEREAS, Given the Commonwealth of Pennsylvania's financial
30 situation, it would be difficult to replace the Federal funds

1 lost due to the repeal of the ACA; and

2 WHEREAS, It has been estimated that repeal of the ACA would
3 increase Commonwealth expenditures by nearly \$130 million,
4 which, coupled with the estimated reduction in tax revenue,
5 would add more than \$1.4 billion to the Commonwealth of
6 Pennsylvania's structural deficit; and

7 WHEREAS, Major organizations and advocacy groups, including
8 the American Medical Association, the American Hospital
9 Association, America's Health Insurance Plans and the AARP, have
10 warned Congress that ACA repeal would leave millions without
11 health insurance coverage and cause potential harm to the most
12 vulnerable populations and unnecessary disruptions in the
13 coverage and care on which Medicaid beneficiaries depend; and

14 WHEREAS, ACA repeal without adequate mechanisms to ensure
15 that not one Pennsylvanian will lose coverage and that coverage
16 will be more affordable and of higher quality for all
17 Pennsylvanians would not only evidence a lack of regard for
18 older Pennsylvanians and millions of working Pennsylvanians and
19 their families who stand to lose health insurance coverage and
20 access to affordable health care but also for hospitals and the
21 insurance and health care industry as well as the economic
22 viability of the Commonwealth of Pennsylvania and other states
23 that implemented the ACA; therefore be it

24 RESOLVED, That the House of Representatives of the
25 Commonwealth of Pennsylvania respectfully urge the President and
26 the Congress of the United States to reject any legislation
27 aimed at repealing the ACA unless such legislation is crafted to
28 ensure the maintenance of health insurance coverage, including
29 coverage of the ACA's 10 Essential Health Benefits, and ensure
30 access to quality and affordable health care by Pennsylvanians

1 who would otherwise lose their health insurance coverage and
2 preserve the significant gains that seniors, individuals with
3 mental health and substance use disorders and the underserved
4 rural and urban Pennsylvanians have realized through ACA
5 implementation; and be it further

6 RESOLVED, That the House of Representatives respectfully urge
7 the Congress to not jeopardize the health of millions of
8 Pennsylvanians by voting to approve ACA replacement legislation
9 without public review and input, including consideration of the
10 conclusions espoused by the Congressional Budget Office, in
11 order for the residents of the Commonwealth of Pennsylvania and
12 other states to have the opportunity to be heard; and be it
13 further

14 RESOLVED, That the Chief Clerk of the House of
15 Representatives transmit copies of this resolution by first
16 class mail, fax or electronic mail to the President and Vice
17 President of the United States, the Majority and Minority Leader
18 of the United States Senate, the Speaker and Minority Leader of
19 the United States House of Representatives and to each member of
20 the Pennsylvania Congressional Delegation.