

COALITION FOR WHOLE HEALTH

July 10, 2018

Decision in Federal District Court Invalidating Medicaid Work Requirements

US District Court for District of Columbia issued a decision in a lawsuit that struck down work requirements that were set to go into effect in Kentucky 7/1/18. The concern was that the federal government failed to consider that this change would reduce access to health care. (95,000 were expected to lose care.) Other states have also received federal approval and others are working on submitting requests to federal government. They are trying to figure out how to adapt their proposals to meet the new decision.

Governor of Kentucky said that if it didn't pass, he would end the Medicaid expansion, vision and dental benefits. Work on that has begun.

There will be a separate call to work on the legal arguments against this movement and quantify the effect on our population.

Good news but more to come.

We know that Kavanaugh opposes the ACA, where would he be on this? The Coalition hopes that this question will be raised during his confirmation hearing.

Department of Labor Regulations

Administration wanted to expand use of association health plans. There was a proposed rule issued in January. The Coalition and many others expressed concern. The final rule was issued and will go into effect this fall. Largely the final rule didn't respond to those concerns. Preexisting condition and scope of benefits would not be required by these plans.

States have ability to pass laws to increase protections for their residents. Coverage for behavioral health disorders is especially weak.

The Coalition will work on how to ensure that consumers are aware during open enrollment of the limitations of these plans.

Federal parity law applies to these plans if the business has more than 50 employees and mental health benefits are provided.

Congressional Activity Regarding Opioids

There's much activity in the House and the Senate. It's very chaotic, 306 bills in various forms. Not easy to get a handle on what's likely to move forward. The House desperately wants to

move things before mid-term elections. The Republican leadership does not want to do it prior to the election because it could help the marginal Democratic candidates. The Coalition will continue to track it carefully.

Comment Opportunities

There is an opportunity to comment on what states should include in their plan for Families First—a child welfare program federal funding for prevention for those families at risk of kids going into foster care. It would allow federal funding for mental health services to the parents.

We do need to provide information to the Hill on the Kavanaugh nomination because we know that he opposes the ACA and supports Medicaid work requirements. If members would flag potential issues to raise, that would be helpful.

Schedule

The Coalition is trying to schedule a meeting with the assistant secretary of SAMHSA and other federal officials in the fall.

There will be no call in August, communication will be by e-mail.

The September call will be on 9/18 at 7AM PDT.