The Affordable Care Act: Improving Public Health and Eliminating Disparities

Leila Barraza, JD, MPH
Deputy Director, Network for Public Health Law - Western Region

Veda Collmer, JD
Visiting Attorney, Network for Public Health Law - Western Region

July 25, 2013
Principles & Objectives

- Discuss ways the ACA expands access to health care
- Discuss ways the ACA improves health care coverage
- Discuss ways the ACA improves public health
THE NETWORK FOR PUBLIC HEALTH LAW IS THE SOURCE TO

- Ask legal questions
- Get and share information
- Find resources
- Make connections

Join the Network
Connect, share and access public health law resources

Ask a Question
Get practical, expert legal assistance — at no cost

A Fresh New Network Image
The Network has a new name, brand and Web site!
- A refocused name: A subtle name change to “The Network for Public Health Law” places an emphasis on “network” and the importance of connecting and collaborating.
- Renewed visuals: A fresh brand identity conveys an effective, practical approach to public health law.
- Easy-to-use Web site: Take a tour through the new Web site to
National Scope with Local Expertise

- Provides support across the country
- Divided into 5 Regions to provide local and state support
- Contact your Region for assistance
Western Region Leaders

- James G. Hodge, Jr., J.D., LL.M., Director
  jhodge@networkforphl.org

- Clifford M. Rees, J.D., Practice Director
  crees@networkforphl.org

- Dan Orenstein, J.D., Deputy Director
  dorenstein@networkforphl.org

- Leila Barraza, J.D., M.P.H., Deputy Director
  lbarraza@networkforphl.org

- Veda Collmer, J.D., Visiting Attorney
  veda.collmer@asu.edu
Join the Network at No Cost

- http://www.networkforphl.org
- Network products, such as fact sheets, tables of state laws, legal briefs and more
- Monthly webinar series
- Public health lawyer directory
- Library of legal assistance questions and answers
- External resources
- Network newsletters
- Events
Brief Overview of the ACA
ACA Implementation Timeline of Major Provisions
Year 1 & 2 – 2010-2012

Coverage through age 26

Rejection of pre-existing conditions for children

No lifetime or annual limits

Free annual wellness visits

Underserved areas practice bonus

Brand-name drug discount for Medicare

Slide Credit: James G. Hodge, Jr., J.D., LL.M.
Year 4 - 2013/2014

Coverage of pre-existing conditions
No annual caps on benefits
Health insurance exchanges

Delayed until 2015:
Employers must provide health insurance plans
Individuals must purchase health insurance

Slide Credit: James G. Hodge, Jr., J.D., LL.M.
National Federation of Independent Business v. Sebelius

- Individual mandate is upheld under the taxing and spending clause
- Medicaid expansion is upheld, but voluntary

Source: Washington Post, October 25, 2010
Improving Access to Health Care
Expanding Access

- Medicaid expansion
- Health insurance exchanges
- Community health centers ($11 billion)
- Incentives for primary care practitioners
- Small business tax credits

ACA Implementation
Three Types of Exchanges

State Based Exchange

State and Federal Partnership Exchange

Federally Facilitated Exchange (default)
Health Insurance Exchanges

What The New Exchange Could Look Like

<table>
<thead>
<tr>
<th>Health Insurance Companies</th>
<th>Bronze</th>
<th>Silver</th>
<th>Gold</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Celticare</td>
<td>3 plans from $262.15 Total Monthly Cost</td>
<td>3 plans from $375.10 Total Monthly Cost</td>
<td>3 plans from $435.07 Total Monthly Cost</td>
</tr>
<tr>
<td>Neighborhood Health Plan</td>
<td>3 plans from $265.81 Total Monthly Cost</td>
<td>3 plans from $371.26 Total Monthly Cost</td>
<td>3 plans from $454.05 Total Monthly Cost</td>
</tr>
<tr>
<td>Tufts Health Plan</td>
<td>3 plans from $279.73 Total Monthly Cost</td>
<td>3 plans from $337.98 Total Monthly Cost</td>
<td>3 plans from $483.14 Total Monthly Cost</td>
</tr>
<tr>
<td>Harvard Pilgrim HealthCare</td>
<td>3 plans from $336.22 Total Monthly Cost</td>
<td>3 plans from $485.00 Total Monthly Cost</td>
<td>3 plans from $638.61 Total Monthly Cost</td>
</tr>
<tr>
<td>Fallon Community</td>
<td>3 plans from $354.00 Total Monthly Cost</td>
<td>3 plans from $478.00 Total Monthly Cost</td>
<td>3 plans from $630.00 Total Monthly Cost</td>
</tr>
</tbody>
</table>

Arizona’s Health Insurance Exchange

The Health Insurance Marketplace is coming soon

A new way to get affordable coverage launches October 1.

Answer a few questions to learn if you qualify for lower costs.

START NOW

GET IMPORTANT NEWS & UPDATES

Email Address

SIGN UP
Health Insurance Exchanges

Core Functions

- Eligibility
- Financial Management
- Enrollment
- Consumer Assistance
- Plan Management

Slide Credit: Daniel Orenstein, J.D.
Medicaid Expansion

- The Affordable Care Act
- 133% FPL (138% FPL)
- No Partial Expansion Permitted
### Federal Poverty Levels - 2013

<table>
<thead>
<tr>
<th>Percentage of FPL</th>
<th>Poverty guidelines – Family of 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>100%</td>
<td>$23,550</td>
</tr>
<tr>
<td>133%</td>
<td>$31,321</td>
</tr>
<tr>
<td>138%</td>
<td>$32,499</td>
</tr>
</tbody>
</table>

Medicaid Expansion

Until 2016

2017: 95%
2018: 94%
2019: 93%
2020 and beyond: 90%
National Trends

- 24 Support
- 21 Oppose
- 6 Undecided

As of July 1, 2013
Expanding Medicaid in Arizona

AHCCCS Enrollment frozen in July 2011

Number of enrollees

» Then: 220,000 adults enrolled
» Now: 82,000 adults enrolled

AHCCCS Expansion

Restore AHCCCS coverage for approximately 250,000 adults
AHCCCS Expansion

57,000 New enrollees from 100% to 133% FPL

“Circuit Breaker” Provision

- Freezes coverage if federal reimbursement rate for newly eligible enrollees drops below 80%
Ryan White & The ACA

The ACA will:

- Improve access to private health insurance
- Improve access to Medicaid in states who expand eligibility
- Improve quality of health insurance coverage
Improving Health Care Coverage
Increasing Coverage

- Limit discrimination
- Prohibit lifetime limits
- No co-pays for prevention
- Retain children on parents’ insurance to age 26
- Individuals must obtain basic health insurance
- Employers must provide health insurance plans
Essential Benefits All Health Insurers Must Cover:

- Women’s preventative care/screening
- Preventative and wellness services
- Maternity and newborn care
- Mental health
- Prescription drugs
- Emergency services
- Hospitalizations
- Outpatient care
- Laboratory services
- Rehabilitation/habilitation services and devices
Maternal and Child Health Services

- No coverage denial for pre-existing conditions (including pregnancy or prior cesarean section delivery)
- Breastfeeding breaks
- CHIP eligibility level frozen until 2019
Improving the Public’s Health
Preventative Services for the Individual

- Access to preventative services
- Medicaid tobacco cessation treatment for program women
- Medicaid coverage for tobacco cessation drugs
Creating Healthy Communities & Workplaces

- Break time for nursing mothers
- Workplace wellness grants and initiatives
- Community transformation grants
- Community workforce grants
- Community and school based health centers
Developing a Healthier Nation

- Prevention and Public Health Fund
- National Prevention, Health Promotion, and Public Health Council
- Access to diabetes and oral preventative services
- Nutrition labeling
- Development of a national strategy to improve health care and public health services
School-based health centers (SBHC)

- Partnership between school and community health organization
- Primary care, mental health care, substance abuse counseling, case management, dental health, nutrition education, health education and health promotion
- $200 million from 2010–2013
Community Health Centers

- Community Health Center Fund
- $1.5 billion from 2011-2015 for construction and renovation
- $9.5 billion from 2011-2015 to:
  - Create new centers
  - Support existing center operations
  - Expand primary health care and preventive services
- Arizona received $2.3 million in grant money
# Arizona Community Health Centers

## Recovery Act Funding for Community Health Centers in Arizona

<table>
<thead>
<tr>
<th>Health Center Grantee Name</th>
<th>City</th>
<th>Zip Code</th>
<th>Grantee Identified Congressional District</th>
<th>New Access Point Services</th>
<th>Increased Demand for Services</th>
<th>Capital Improvement Construction Program</th>
<th>Facility Investment Construction Program</th>
<th>Health Information Technology Awards Round 1</th>
<th>Health Information Technology Awards Round 2</th>
<th>Health Information Technology Awards Round 3</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ajo Community HC</td>
<td>Ajo</td>
<td>85321</td>
<td>07</td>
<td></td>
<td>$125,830</td>
<td>$344,080</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$469,910</td>
</tr>
<tr>
<td>Canyonslands Community Health Care</td>
<td>Page</td>
<td>86040</td>
<td>01</td>
<td></td>
<td>$288,738</td>
<td>$894,490</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$3,023,923</td>
</tr>
<tr>
<td>Chiricahua Community HC</td>
<td>Elfrida</td>
<td>85610</td>
<td>08</td>
<td></td>
<td>$427,791</td>
<td>$846,785</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,274,576</td>
</tr>
<tr>
<td>Clinica Adelante, Inc.</td>
<td>Surprise</td>
<td>85374</td>
<td>02</td>
<td></td>
<td>$541,672</td>
<td>$1,427,055</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,969,527</td>
</tr>
<tr>
<td>El Rio Santa Cruz Neighborhood HC</td>
<td>Tucson</td>
<td>85745</td>
<td>07</td>
<td></td>
<td>$370,169</td>
<td>$2,600,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$4,992,043</td>
</tr>
<tr>
<td>Marana HC</td>
<td>Marana</td>
<td>85553</td>
<td>08</td>
<td></td>
<td>$392,961</td>
<td>$1,276,025</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,668,986</td>
</tr>
<tr>
<td>Maricopa County</td>
<td>Phoenix</td>
<td>85007</td>
<td>04</td>
<td></td>
<td>$238,718</td>
<td>$456,185</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$694,903</td>
</tr>
<tr>
<td>Mariposa Community HC, Inc</td>
<td>Nogales</td>
<td>85621</td>
<td>07</td>
<td></td>
<td>$346,866</td>
<td>$337,540</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,284,406</td>
</tr>
<tr>
<td>Mountain Park HC</td>
<td>Phoenix</td>
<td>85042</td>
<td>04</td>
<td></td>
<td>$655,634</td>
<td>$1,939,575</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$2,594,209</td>
</tr>
<tr>
<td>Native American Community HC, Inc</td>
<td>Phoenix</td>
<td>85021</td>
<td>04</td>
<td></td>
<td>$1,300,000</td>
<td>$101,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,651,000</td>
</tr>
<tr>
<td>North Country Healthcare, Inc</td>
<td>Flagstaff</td>
<td>86004</td>
<td>01</td>
<td></td>
<td>$1,300,000</td>
<td>$1,437,515</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$10,621,595</td>
</tr>
<tr>
<td>Sun Life Family HC</td>
<td>Casa Grande</td>
<td>85230</td>
<td>04</td>
<td></td>
<td>$368,865</td>
<td>$1,247,850</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,616,715</td>
</tr>
<tr>
<td>Sunset Community HC</td>
<td>Somerton</td>
<td>85350</td>
<td>07</td>
<td></td>
<td>$255,878</td>
<td>$340,655</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,196,533</td>
</tr>
<tr>
<td>United Community HC, Inc</td>
<td>Green Valley</td>
<td>85614</td>
<td>08</td>
<td></td>
<td>$226,841</td>
<td>$795,545</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,022,366</td>
</tr>
<tr>
<td>Wesley Community Center Inc</td>
<td>Phoenix</td>
<td>85034</td>
<td>04</td>
<td></td>
<td>$1,300,000</td>
<td>$101,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,651,000</td>
</tr>
<tr>
<td>Yavapai County Community Health Services</td>
<td>Prescott</td>
<td>86301</td>
<td>01</td>
<td></td>
<td>$255,166</td>
<td>$585,160</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$840,326</td>
</tr>
</tbody>
</table>

Conclusion

- Special thanks to Chase Millea and Kellie Nelson for their contributions
- For more information, please visit networkforphl.org
- Questions, comments, thoughts?
- Thank you!