

Background

The Affordable Care Act (ACA) made significant progress in expanding access to health care for individuals with disabilities. Approximately 20 million Americans have gained coverage through the ACA, including many people with disabilities, leading to the lowest uninsured rate in recent history. Importantly, the ACA has been cost effective. The availability of comprehensive, affordable coverage has led to increased use of preventive care and reductions in uncompensated emergency care and expensive institutional care. People with disabilities and chronic conditions are able to obtain health services such as prescription drugs, physical or occupational therapy, and wheelchairs and other assistive devices that help people to live healthy and independent lives. To repeal the ACA, or to eliminate the ACA without simultaneously replacing it with a plan that maintains or improves existing coverage and protections, puts consumers' health at risk.

Key Issues

Expansions of health coverage—The ACA improved access to health coverage because it:

- Allowed states to extend their Medicaid programs to childless adults earning up to 138% of the federal poverty level. This change has provided coverage to millions of people, including individuals with intellectual and/or developmental disabilities (I/DD) and other disabilities and chronic health conditions who were not otherwise eligible for Medicaid. If Congress removes these provisions, it will destabilize the Medicaid program in the 32 states that have expanded Medicaid. States will be forced to make difficult choices about how to replace the reduced federal support. If additional state funding is not available, it leaves states to consider cutting eligibility, reducing reimbursement rates, or cutting other services to make up the difference.
- Created a health insurance marketplace that allowed people who did not have access to employer sponsored health insurance or public programs such as Medicaid and Medicare to purchase affordable health insurance. The premium tax credits and the cost sharing subsidies for eligible individuals are critical to keeping the health insurance affordable.
- Required that dependent care coverage, if provided, continue through the age of 26.

Comprehensive coverage—The ACA improved the lives of people with I/DD and other disabilities by:

- Requiring that the health insurance plans cover essential health benefits beyond hospital and doctor visits.
- Requiring benefits that many people with disabilities need such as rehabilitative and habilitative services and devices, mental health and substance abuse disorder services including behavioral health treatment, and critical prescription drug coverage.

Habilitative services are particularly important to people with disabilities who may need health care services to acquire or maintain skills or function. Prior to the ACA coverage of habilitative therapies or services may have been denied.

Non-Discrimination and Insurance Improvement—The ACA establishing strong non-discrimination provisions and health insurance improvements such as:

- Ensuring that people with pre-existing conditions can gain health insurance coverage and coverage of specific benefits needed because of the condition;
- Preventing insurers from charging people with disabilities and health conditions significantly more for health insurance coverage;
- Prohibiting discrimination based on health status and ensuring that health plans are not designed to discriminate against people with health conditions;
- Eliminating annual and lifetime caps on health coverage;
- Expanding mental health parity provisions; and
- Requiring free preventative services such as immunizations and health screenings.

Recommendations

- Congress should not repeal the ACA without simultaneously replacing it with a law that maintains or improves the coverage and protections in the ACA.
- Congress should continue the Medicaid expansion provisions including the enhanced payments that states receive.
- Congress should maintain the critical nondiscrimination and health insurance improvements that enable people with disabilities and chronic health conditions to benefit from health insurance.
- Congress should ensure that health insurance benefits are comprehensive and affordable.
- Congress should not cut or restructure Medicaid with federal caps or block grants to help pay for a repeal of the ACA.

Relevant Committees

House Education and the Workforce Committee
House Ways and Means Committee
House Energy and Commerce Committee
Senate Health, Education, Labor, and Pensions Committee
Senate Finance Committee

For more information, please contact The Arc at (202) 783-2229, Association of University Centers on Disabilities at (301) 588-8252, American Association on Intellectual and Developmental Disabilities at (202) 387-1968, National Association of Councils on Developmental Disabilities at (202) 506-5813, Self-Advocates Becoming Empowered at SABEnation@gmail.com, or United Cerebral Palsy at (202) 973-7109.

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