

Bill Kaplan: Health-care coverage and protections endangered

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Almost simultaneously the House impeached Trump, while a federal appeals court struck down the Affordable Care Act (ACA) individual mandate that people have health insurance. The Senate will not remove Trump, but there is uncertainty as to how impeachment will impact the 2020 elections. Voters will make the final judgment on Trump. And, there are other important issues, including the future of health-care coverage and protections guaranteed by the ACA.

A lawsuit orchestrated in 2018 by then Wisconsin GOP Governor Scott Walker and other Republican governors had sought to have the entire ACA declared unconstitutional. Trump joined their effort to nullify the ACA. A Texas district federal judge, to the dismay of many legal experts, concurred. The decision was appealed by ACA supporters. The federal appeals court only struck down the aforementioned individual mandate. The appeals court then asked the district court to reconsider if other sections of the ACA or the entire law should be declared unconstitutional (earlier, Wisconsin Democratic Governor Tony Evers and Attorney General Josh Kaul had withdrawn Wisconsin from the lawsuit).

Trump described the court ruling as “a big win for all Americans”. But Tennessee GOP Senator Lamar Alexander said: “I am not aware of a single senator who said they were voting to repeal Obamacare (ACA) when they voted to eliminate the individual mandate (tax) penalty” in the 2017 tax cuts. However, the appeals court decision casts a pall over the ACA. Health-care coverage and protections under the ACA are endangered and left uncertain.

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I asked Doctor Susan Turney, CEO, Marshfield Clinic Health System, to respond to the appeals court ruling. Turney said: “The elimination of the individual mandate, the (Trump) slashing of education and outreach efforts for open enrollment periods, as well as allowing short-term and high-deductible plans to proliferate, weaken the law (ACA) in the eyes of consumers and insurance companies. ... As important as (the appeals court ruling) is it would be impractical to ignore the near term impacts of the policies in place right now that are harming the ability of people ... from accessing affordable care. That is especially the case in rural areas, where our populations are more likely to rely on ACA marketplace subsidies to gain coverage that otherwise would be out of reach for them and their families.”

The American Medical Association (AMA) and the American Hospital Association (AHA) agree. The AMA said: The appeals court “decision leaves important health insurance protections shrouded in uncertainty despite overwhelming public support for these policies.” And, the AHA said: “Sending the decision back to the federal district court that invalidated the entire law puts health coverage – and peace of mind – for millions of Americans at risk” (about 200,000 Wisconsinites are covered by ACA private health insurance and 883,000 Wisconsinites with preexisting conditions are protected under the ACA).

Doctor Turney amplified: “Rural America is struggling. ... (We) need to create a situation where we can promote health and well-being as part of a broader economic recovery for smaller and rural communities.” Amen!

-Kaplan wrote a guest column from Washington, D.C. for the Wisconsin State Journal from 1995 – 2009.