



For Immediate Release

Date: July 26, 2018

CONTACT:

Taylor Harvey (Wyden): (202) 224-4515

Miranda Margowsky (Stabenow): (202) 224-1154.

Laura Maloney (Murphy): (202) 228-1056

**One Year After A Bipartisan Majority In Senate
Rejected Health Care Repeal, Senate
Democrats, Joined By Americans With Pre-
Existing Conditions, Outline How Trump Admin
And GOP Still Spent Last Year Sabotaging U.S.
Health Care System, Hurting Middle-Class
Families And How The Kavanaugh Nomination
Puts Vital Health Care Protections On Chopping
Block**

Despite Bipartisan Rejection In Senate Of Legislation To Gut Vital Health Care Protections For Americans, The Trump Administration And Congressional GOP Have Taken Action After Action Over Past Year To Systematically Undermine U.S. Health Care System

The Trump Admin And Republicans Are Also Using The Courts To Threaten Women's Reproductive Rights And Vital Health Care Protections For Millions Of

Americans, Including People With Pre-Existing Conditions, Older Americans, And Women—These Are #WhatsAtStake With The Kavanaugh Nomination

Senate Dems To GOP: Stop Sabotaging Health Care System And Work With Dems To Lower Costs, Improve Coverage For Families

Washington, D.C. – Ahead of the one-year anniversary of the bipartisan defeat of the Senate Republican health care repeal legislation, Senate Democrats today outlined the litany of other politically-motivated actions the Trump administration and Republicans in Congress have taken ever since to sabotage the American health care system, raising costs on families across the country. Thanks to widespread opposition to the Republican legislation from the American people, Senate Republicans were unable to pass their radical repeal bill, which would have removed important consumer protections for people with pre-existing conditions, left tens of millions uninsured, and raised health care costs on millions more. Instead, Congressional Republicans and the Trump administration have taken action after action over the past year to undermine our health care system and raise costs on American families. Now, they are using the courts to threaten women’s reproductive rights and protections for people with pre-existing conditions with the nomination of Judge Brett Kavanaugh. Senate Democrats, led by Senate Committee on Finance Ranking Member Ron Wyden (D-OR), Ranking Member of the Senate Committee on Finance Subcommittee on Health Care Debbie Stabenow (D-MI), and Senate Committee on HELP Member Chris Murphy (D-CT), outlined this year of sabotage today at a press conference in the U.S. Capitol building and were joined by Leslie Dach of Protect Our Care, Catherine Buxton, a Planned Parenthood patient, and Samantha and Josephine McGovern of the Little Lobbyists.

A list of the actions taken by Congressional Republicans and the Trump administration since the failure of their health care repeal legislation last July is as follows:

- **September 2017: President Trump Cut off Cost Sharing Reduction (CSR) Payments:** After months of threats that destabilized the markets, President Trump abruptly [cut off](#) cost sharing reduction (CSR) payments in September 2017, sending a shockwave of uncertainty and confusion through the marketplaces just as 2018 rates were being finalized.
- **Fall 2017: The Trump Administration Cut Open Enrollment, Slashed Funding to Assist Americans Signing Up for Insurance:** The Trump administration [cut open enrollment in half](#) and [slashed funding](#) for advertising and outreach, which are

disproportionately used by low-income families, communities of color, and people who don't speak English as a first language. In addition to this, the Trump administration [decided](#) to shut down the Affordable Care Act website for 12 hours nearly every Sunday during open enrollment.

- **December 2017: Republicans in Congress Repealed the Health Coverage Requirement:** Republicans in Congress helped fund their massive tax giveaway to corporations and the wealthiest few with savings from foregone funding that helps low and middle-income people afford insurance and Medicaid when they repealed the ACA's health coverage requirement, which the non-partisan Congressional Budget Office [concluded](#) will result in:
 - 4 million more uninsured Americans by 2019, and
 - Premiums that each year will be 10% higher than they would have been.
- **October 2017-Present: The Trump Administration is Moving to Expand Junk Health Insurance Plans, Dividing Healthy and Sick and Raising Costs on Americans with Pre-existing Conditions:** In October 2017, President Trump signed an [executive order](#) to expand association and short-term (junk) plans, which would [raise costs](#) on those with pre-existing conditions and older Americans, gut consumer protections, and divide the health care market between the healthy and the sick. Following instructions from this executive order, the Trump administration issued a proposed regulation in February 2018 to expand short-term limited duration insurance. These plans can:
 - Charge higher premiums, or outright reject Americans based on a pre-existing condition;
 - Impose lifetime and annual limits that allow insurance companies to stop covering people when they get sick; and
 - Exclude certain benefits like coverage for prescription drugs, maternity care, mental health and substance use treatment services, or a consumer's pre-existing health condition.

Endorsing junk insurance, combined with the effects of last year's tax bill and other administration sabotage, will [increase premiums](#) in the individual marketplaces an average of 18.2 percent, making health care that much more expensive for those people with pre-existing conditions who most need access to affordable, quality health care. The [LA Times](#) concluded that "more than 98% — or 335 of 340 — of the health care groups that commented on the proposal to loosen restrictions on short-term health plans criticized it, in many cases warning that the rule could gravely hurt sick patients." This included patient and consumer advocates, physician groups, nursing associations, hospital groups, medical providers and more.

- April 2018: The Trump Administration’s Rules for the 2019 Marketplace Will Put Insurance Companies Back in Charge, Gut Consumer Protections and Increase Costs:** In April, the Department of Health and Human Services finalized their [rules](#) for the 2019 health care marketplaces. Included in their rules:

 - Fewer benefits [covered](#) and a ceiling on the quality of benefits. The “essential health benefits” currently required under our health care system like maternity care, mental health care, and other benefits can be watered down by states, and states are not allowed to require plans to offer more generous benefits to consumers if they choose.
 - Greatly reduced outreach funding and support. For the first time, consumers will not have guaranteed access to face-to-face insurance enrollment assistance and may have substantially limited access to consumer assistance via phone or other means.
 - Decreased [oversight](#) of insurance companies, making it easier for them to raise premiums and restrict Americans’ choice of doctors. The rules open the door to letting insurers spend more on executive pay, marketing, and administrative overhead and less on consumers’ medical claims. At the same time, these companies are reaping billions from the corporate windfall that is the Trump-Republican tax bill.
 - Added red tape, creating more hoops to jump through and making it harder for working families to access and keep needed health coverage and financial assistance.
- Fall 2017-Present: Republican Leaders in Congress Repeatedly Blocked Good-faith, Bipartisan Efforts to Lower Premiums—Instead Opting to Try to Jam Through their Radical Trumpcare Bills:** Starting in 2017, Republican leaders refused to bring a bipartisan bill to lower premiums and stabilize markets, which had the support of every Senate Democrat and twelve Republicans, to the Senate floor for a vote. In 2018, rather than continuing to work with Democrats on [bipartisan solutions](#) to improve access to affordable care, they proposed a bill that created more problems than it solves and could have left millions paying much more for worse coverage than they have today. Ultimately, they refused to include bipartisan legislation in this year’s omnibus bill that potentially could have led to reduced premiums across the country.
- June 2018: The Trump Administration Sides With Texas and 19 Other States in a Partisan Lawsuit Challenging the Constitutionality of our Health Care Law and Protections for People with Pre-existing Conditions:** After Congressional Republicans zeroed out the health insurance coverage requirement in their partisan tax legislation, the State of Texas and a coalition of 19 other states legally challenged the constitutionality of the current health care law, including the consumer protections for people with pre-existing conditions in a new suit: *Texas vs. United States*. Instead of defending the law and these vital health care protections, the Trump administration’s Department of Justice [announced](#) in June that, in keeping with their

continued, politically-motivated efforts to sabotage the American health care system to the detriment of middle-class families across the country, they are abandoning their responsibility to defend the laws of our country and instead are arguing that protections for people with pre-existing conditions should be eliminated.

- **June 2018: Trump Administration Releases Rule Rolling Back Requirements and Essential Health Benefits Offered Under the Affordable Care Act:** As a backdoor way to achieve what they could not legislatively, President Trump's administration released a [final rule](#) dramatically expanding the scope of association health plans. These plans are not required to adhere to protections offered under the current health care law such as mandated coverage for mental health care, emergency services, maternity and newborn care, and prescription drugs. The rule will reduce access to critical services for those that enroll in the plans, and raise premiums on older Americans and those with pre-existing conditions that have must remain in the individual marketplaces to access comprehensive insurance.
- **July 2018: Judge Brett Kavanaugh's Nomination Threatens Pre-Existing Condition Protections and Endangers Women's Reproductive Rights:** In Judge Kavanaugh, President Trump has fulfilled his [promise](#) to nominate a justice who would overturn the current health care law. With a new, more conservative Supreme Court, the *Texas v. United States* lawsuit (or another case) could succeed in taking away protections for people with pre-existing conditions, disabilities, and older Americans.
- **July 2018: Trump Administration Slashes Funding for Groups That Assist Americans Sign Up for Insurance Under The Affordable Care Act:** The Trump administration [reduced funding](#) by more than 80% to nonprofit organizations that specialize in helping people obtain health insurance. The Trump administration will [provide](#) only \$10 million this fall as opposed to the \$63 million that was provided in late 2016. Additionally, the administration mandated that what little funding is left must be used to direct people into junk insurance plans that hurt people with pre-existing conditions.

“Republicans are running scared on health care because they know communities around the country are catching on to their real agenda: rolling back the clock on health care in a way that harms families and helps special interest. Trump and Republicans sabotage crusade is a full court press – increasing out-of-pocket costs for families, throwing open the doors for junk insurance and nominating extreme judges who will rubber stamp the repeal of pre-existing condition protections. Instead of fighting the will of the American people, Republicans should work with Democrats to make families' health care more affordable,” said **Senate Committee on Finance Ranking Member Ron Wyden (D-OR)**.

“Health care isn’t political, it’s personal. It’s outrageous that this Administration is refusing to defend the law that protects people with preexisting conditions like cancer, diabetes, or heart disease,” said **Senate Committee on Finance Subcommittee on Health Care Ranking Member Debbie Stabenow (D-MI)**.

“If Republicans in Congress can’t get Americans to support a legislative repeal of the protections in the Affordable Care Act, they’re hoping the Supreme Court will do it for them. That’s why stopping the nomination of Brett Kavanaugh is so critical,” said **Senate Committee on HELP Member Chris Murphy (D-CT)**.

###