



In Obamacare, Congress must buy insurance from marketplaces but president and his administration keep "gold-plated" coverage, Rep. Sean Duffy says

By: Tom Kertscher - October 21, 2013

U.S. Rep. Sean Duffy says President Barack Obama and members of his administration get to keep "their gold-plated health care plans" under the Affordable Care Act.

U.S. Rep. Sean Duffy (R-Wis.) flashed what appeared to be a self-satisfied smile after his televised quarrel with longtime Washington journalist Andrea Mitchell over the government shutdown and Obamacare.

The MSNBC interview on Oct. 8, 2013 occurred one week after health insurance exchanges, now known as marketplaces, opened under President Barack Obama's Affordable Care Act. Those marketplaces were created to offer health insurance to individuals who don't have coverage from employers and who may be eligible for government subsidies to help pay for the coverage.

Duffy's tussle with Mitchell earned him kudos from conservatives and sparked coverage by news outlets in Wisconsin, as well as by Politico, the Huffington Post, Rush Limbaugh and other national media. He argued that if the health care law is so good, Obama and members his administration should have to buy their insurance from the marketplaces just like members of Congress.

"Why won't he join us in Obamacare?" Duffy said of the president, before making a reference to the first lady and the president's press secretary.

"Why wasn't Michelle Obama on October 1st at the computer with her family signing up for Obamacare, or Jay Carney? They have their own gold-plated health care plan."

"So do you," Mitchell interjected.

"No. I'm not. I'm in Obamacare, I'm in Obamacare, Andrea; all members of Congress are, and my family," Duffy replied. "The president should join us in Obamacare and the rest of America. Is that pretty reasonable? We should be all be treated equally under the law. Why should members of Congress be in Obamacare and not the president? Explain that one. Isn't that fair? Can you defend that? Can you defend why the president shouldn't be in Obamacare like members of Congress and their staffs?"

Duffy essentially repeated his claim Oct. 16, 2013 on MSNBC's "Morning Joe" show.

Is Duffy right that members of Congress are required to buy health insurance through the Affordable Care Act's marketplaces, while Obama and his staff can keep their "their own gold-plated health care plan"?

Congress

So many people have said Congress is exempt from Obamacare that in September 2013, PolitiFact National made the claim, rated False, one of its top 16 myths about the health care law.

For many years, members of Congress chose from a variety of insurance plans offered by the Federal Employees Health Benefits Program, which serves 8 million federal and retired workers and their dependents.

So, members of Congress were like most Americans, covered through their employer with the employer picking up most of the tab.

That will end in January 2014, when lawmakers and some of their staff will be required under the health care law to pick from plans in the health care law's new marketplaces. They are the only Americans facing this requirement, although Uncle Sam will still continue to pick up most of the cost.

(Factcheck.org and The Washington Post Fact Checker have also debunked the Congress-is-exempt claim.)

The requirement for Congress became part of the law after Sen. Chuck Grassley (R-Iowa) in 2009 offered an amendment that required lawmakers to get their health care through the marketplaces. A version of the amendment was adopted.

So, Duffy is correct on the first part of his claim, that members of Congress must, under the Affordable Care Act, purchase insurance through the law's marketplaces.

President

Obama and members of his administration and their families will continue to get their health insurance through the Federal Employee Health Benefits Program. But it's not "their own" plan, as Duffy claimed; it's the same plan that covers millions of other federal employees.

In other words, they will be like most Americans who get their health insurance through an employer -- nothing will change. In fact, despite Duffy's reference to "the rest of America" joining Congress in the marketplace, the vast majority of Americans will continue to be covered through employers, not purchasing insurance from the marketplaces.

Rather than being "gold-plated," the federal health insurance is roughly comparable to what members of Congress will be able to buy in the marketplaces, according to three health care reform experts we consulted: Timothy Jost, law professor at Washington and Lee University in Lexington, Va.; professor Sabrina Corlette of Georgetown University's Center on Health Insurance Reforms; and Michael Tanner, senior fellow at the Cato Institute, a libertarian think tank.

"It's a good plan," Tanner said of the federal health insurance, "but it's roughly the equivalent" of choices available in the marketplaces.

Plans available in the marketplace range from "bronze," which has the lowest premiums and pays 60 percent of the total medical costs of everyone in the plan, to "platinum," which has the highest premiums and pays 90 percent. (A fifth category, "catastrophic," is available to people under 30 years old and to some people with very low incomes.)

Members of Congress, however, are required under the health care law to choose from among 112 "gold-level" plans, which pay 80 percent of the total costs. By way of comparison, the most common plan chosen in the program offered to all other federal employees is a Blue Cross plan, which pays closer to 90 percent.

Our rating

Duffy said: All members of Congress are required to be in Obamacare, but Obama and members of his administration "have their own gold-plated health care plans that they're in."

Members of Congress will have to buy their health insurance from marketplaces created as part of the health reform law, while the president and members of his administration can keep the coverage they get from the federal government. But the federal offerings are roughly comparable to what Congress can buy in the marketplaces, not vastly superior.

For a statement that is partially accurate but leaves out important details, Duffy gets a Half True.