



The Trump Administration Wants to Hear Your Ideas for Dismantling Obamacare

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The Trump Administration is seeking the public's suggestions on changing Obamacare--even as the Senate works behind closed doors on legislation to repeal and replace the law.

On Thursday, the Centers for Medicare and Medicaid Services issued a request for information, inviting the public's recommendations on reducing what the agency called the regulatory burdens of Obamacare, officially known as the Affordable Care Act. The move follows the executive order President Donald Trump signed soon after taking office on Jan. 20, authorizing the executive branch to take measures within its authority to lessen the "economic burden" of Obamacare pending the repeal efforts by Congress.

In theory, it's hard to argue with the administration's goal of creating "a more patient-centered health care system that adheres to the key principles of affordability, accessibility, quality, innovation, and empowerment," as the request for comment puts it.

But in practice, you can't just chuck the unpopular, "burdensome" regulations of Obamacare and keep the popular provisions, many health policy experts say.

"When you look at the list of Affordable Care Act regulations, most of them are guaranteeing access to people with health issues, keeping care affordable for them, and making sure care meets their needs by providing a comprehensive benefits package," says Sabrina Corlette, research professor at the Center on Health Insurance Reforms at the Georgetown University Health Policy Institute.

In other words, the regulations are there for a reason. For example, Obamacare's unpopular "individual mandate" requires most people to buy insurance or pay a penalty. This is because insurers need a big pool of mostly healthy customers to subsidize coverage of the sick. It is intended to enable insurers to cover patients with pre-existing conditions at the same premium rates as healthy patients and still stay in business. Before Obamacare took full effect in 2014, people with pre-existing conditions could be denied coverage on the individual market or charged more than healthy people, and the law's protections for this vulnerable population have proven very popular.

Dialing back Obamacare's regulations would dismantle the law as we know it. The House took steps in this direction with its passage last month of the American Health Care Act. The bill would result in an additional 23 million people losing coverage by 2026, compared with under current law, according to projections by the Congressional Budget Office. Reduced subsidies and less robust plans would mean older consumers in particular would pay more for skimpier coverage without meaningfully lowering costs for the younger, healthier people whose participation is vital, says Sara R. Collins, vice president at the Commonwealth Fund, a private foundation that supports independent research on health care issues and makes grants. And many people with pre-existing conditions would find coverage completely out of reach.

The Senate is now working on its own version of the health care legislation behind closed doors. Media reports say Senate majority leader Mitch McConnell hopes to put a bill before the Senate for a vote before the July 4 recess, and if it passes President Trump is expected to sign the legislation into law.

If the Trump administration wants to stabilize Obamacare, some experts say it's obvious what to do. For starters, the administration could commit to continuing the cost-sharing payments to insurers that reduce out-of-pocket costs for lower-income consumers, Collins says. Administration officials have actively sown uncertainty about whether they will continue these payments, without which insurers will face big losses and possibly drop out of the market.

Michael Cannon, an Obamacare critic and director of health policy studies at the libertarian Cato Institute, thinks the Trump administration should end the uncertainty and discontinue cost-sharing payments, which he views as unconstitutional.

Thursday's request "seems a little silly," Cannon says. "This makes it seem like they didn't give much thought to what they'd do once in office."

The public comment period closes July 12. To leave a comment, go to <http://www.regulations.gov> and follow "submit a comment" instructions.