

Hot Topics

Estate Planning, Guardianship, Elder Law CLE
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115th Congress & Medicaid*

*Anybody's guess, really

What's going on with Health Care and Medicaid?

- 5/4: American Health Care Act passed House (217-213 margin)
 - CBO projection: \$800M cuts to Medicaid over 10 years
 - Increase # of uninsured by 23M
 - Changes in funding, i.e. block grants or per capita
 - Reducing mandatory coverages
 - Shifts \$370 billion in Medicaid costs to the states, forcing states to cut coverage and services

On to the Senate...more procedural & substance skirmishes

- 6/29: Senate released its version (Better Care Reconciliation Act)
 - pre-existing condition exclusions remain, premiums +>
 - no longer required to extend coverage to kids age 26
 - Age rating limit 5:1
 - Retain 10 essential HCB, though states "1332" waiver
 - Convert to per capita funding beginning 2020
 - Prohibition on annual and lifetime limits remain

Understand “Per Capita Caps”

- Change the federal/state financial participation in Medicaid by “cost-shifting” - having the federal government gives states a fixed dollar amount per beneficiary starting in 2020: known as the “per capita cap” system, caps will vary by state and by beneficiary designation (elderly, blind and disabled, children), and provide for growth by medical inflation; will impact medically complex kids and IWD

The Senate votes...

- 7/25: Senate voted 51-50 to begin debate on repeal of ACA
- 7/25: Senate rejects repeal and replace (43-57)
- 7/26: Senate rejects major repeal of ACA (45-55)
- 7/28: Senate rejects “skinny” repeal bill (49-51)*
 - Would have repealed individual & employer mandates. Did not touch on Medicaid. Estimated 16M would be uninsured by 2026 and premiums would increase by 20%
 - *McCain, Collins, Murkowsky (R) vote no

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