

CONGRESS CAN: Restore Healthcare Freedom & Affordability

First: Repeal Obamacare

Restore Affordability

The high-cost of insurance and medical delivery today are a result of heavy third-party involvement in every medical decision...and burdensome regs, reporting, measurement

- **TRUE INSURANCE** - Expand/Restore major-medical indemnity policies.
- **COST CONSCIOUS** - Require individual skin in the game, even Medicaid.
- **BLOCK GRANTS** - Provide Medicaid block grants that allow states to direct contract with doctors and hospitals, bypassing costly managed care PMPM payment/contracts.
- **CUTS COSTS** - End costly overhead, bureaucracy, "quality" reporting, contracts, regs,

End Pre-Existing Conditions

Pre-Ex conditions are typically "acquired" when a child with a condition ages out of a family policy or when an employee with a condition loses employer-sponsored coverage, sometimes because the employee cannot work due to the health condition.

- **OWNERSHIP** - Expand individual lifelong ownership of health insurance.
- **PRE-BIRTH** - Encourage parents to buy individual health insurance policies for their children pre-birth, and transfer responsibility for payment to the child at adulthood.
- **TAX REFORM** - End tax deduction for employer-sponsored coverage.
- **GRANTS** - For those stuck with Pre-Ex conditions, give temporary financial support to states to establish high-risk pools, NOT for reinsurance (Health Plan subsidies).

Set Medicare Recipients Free

The Clinton administration imposed a Social Security rule in 1997 without public notice or comment. In 2008 a lawsuit, including plaintiff Dick Armey who wanted to keep his insurance, was filed. SCOTUS refused to hear the case in January 2013.

- **RESCIND** - The SSA requirement that individuals enroll in Medicare Part A to receive their Social Security Retirement benefits.
- **RESCIND** - The SSA requirement that forces senior citizens to pay everything back, including Social Security benefits, if they disenroll from Medicare Part A.
- **EXECUTIVE ORDER** - President Trump can issue an Executive Order to rescind the rule and strip the prohibition from SSA Procedure Operations Manual System (POMS).

Restore Catastrophic Coverage

Health plans are an aberration pushed by Ted Kennedy (HMO Act of 1973). SCOTUS in Pegram vs Hedrich said Congress's purpose for the law was to ration health care.

- **REPEAL ACA §1302(e)** - Repeal Obamacare prohibition on catastrophic coverage
- **EXEMPT FROM TAXATION** - Exempt indemnity major medical *non-interference* policies (new or returning entrants) from federal taxes for 10 years
- **REPEAL HMO ACT** - Repeal approved merger of financing/deliver to end health plan control over federal/state policy decisions and patient/doctor treatment decisions.
- **DISFAVOR MANAGED CARE** - Health plans are the problem, not the solution.
- **NO MANDATES** - Do not require EHB or insurance, or prohibit health-sharing.
- **FAVOR HSA** - Large HSAs; Sen. Paul S.222 HSA section; Delink HSA from HDHP

Expand Competition to Decrease Cost

Medicare, Medicaid, Obamacare, the EHR mandate and MACRA are leading to fewer choices and higher prices in large cities and small communities. Many doctors are leaving the practice of medicine to avoid burnout and the loss of revenue due to EHRs/MACRA

- **EHRs** - Repeal EHR mandate leading to consolidation, higher costs, less access.
- **DPC** - Support Direct Primary Care clinics...and third-party free practices.
- **FAVOR FFS** - Fee-for-service payment provides real price transparency.
- **FREEDOM TO COMPETE** – Repeal moratoriums on physician-owned hospitals.
- **TAX REFORM** - Tax hospitals as the big business for-profits that they are.

Expand Charity

Charity is less expensive and easier to provide than care through the burdensome, poorly reimbursed Medicaid program. Many doctors refuse new Medicaid and Medicare patients. To cover costs, the Mayo Clinic is now giving the privately-insured preference over patients on Medicare and Medicaid. Charitable medical services provide care to the truly needy, often bringing joy to the doctor and gratitude from the patient. There will always be a need for charity, sometimes even for the insured when care is denied.

- **TAX REFORM** - Expand tax-deductible charity opportunities for hospitals/Drs.
- **CHARITY HOSPITALS** - Authorize charity hospitals that operate without costly Medicare/Medicaid regulations...and free from restrictive health plan contracts.

Reduce Regulatory Burden

Under Obama, 226 new major regulations issued at cost of \$108 billion/yr. There were 81,611 pages added in 2015 alone, per CEI. The Code of Federal Regulations was 178,277 at the end of 2015 (was 71,224 pages in 1975). In 2000, Medicare had 111,000 pages of regulations. Obamacare has 40,000 pages of regulations and guidance documents.

- **RESCIND HIPAA RULE** – HIPAA “privacy” rule is a ruse, violates privacy, increases costs and lets 2.2 million entities, plus gov’t (number from 2010 HHS rule) intrude.
- **REPEAL AHRQ** – creates meaningless big government treatment guidelines; intrudes.
- **ENACT BILLS TO REDUCE BURDEN:**
 - o Article 1 Regulatory Budget Reform Act – S. 299 - 13 sponsors (July 2016) - Vote on total annual regulatory burden each agency may impose.
 - o Regulations from the Executive in Need of Scrutiny (REINS) Act – S. 299 – Congressional approval for regulations costing \$100 million or more
 - o Regulation Moratorium and Jobs Preservation Act – no regs issued until unemployment rate is equal to or less than 7.7 percent (Jan. 2009 rate)
 - o Freedom from Restrictive Excess Executive Demands and Onerous Mandates Act – S. 1031– must include indirect economic impacts
 - o Regulatory Responsibility for Our Economy Act – S. 358 (Roberts) – review modify, streamline, expand or repeal regs that are duplicative, unnecessary, overly burdensome or have significant economic impact.

CCHF’s “5C Solution” aligns with the above action items:

- 1) Cash for care
- 2) Catastrophic Coverage
- 3) Charity
- 4) Confidentiality
- 5) Compassionate Care