


Local

## Health reform's future explored

### Importance of bipartisan effort emphasized

 By Jacob Dick Messenger-Inquirer

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Bipartisan improvements rather than a repeal and replace measure seems to be the most realistic future for the Affordable Care Act, according to a legislative expert who briefed local business owners Thursday on current health care proposals.

EM Ford and the Greater Owensboro Chamber of Commerce hosted Michael Embry, president of the National Association of Health Underwriters, to speak to small and large business owners about proposed actions by Congress, political motivations and implications for employers.

In a review of past congressional efforts at ACA reform and current proposals, Embry said the hopes of repealing and replacing the Obama-era legislation were slim.

"Despite how anyone may feel about it or its effectiveness, going back to before the ACA isn't going to happen," Embry said. "Right now, it is going to take a bipartisan effort to amend the law until it works."

Embry has worked as an employee benefits consultant for 32 years, rose to legislative and leadership teams in the national association and served as a citizen lobbyist for 17 years. The NAHU is a bipartisan organization representing the interests of benefit consultants and their clients.

Embry said some of the newest iterations of reform from Republican lawmakers contained provisions that would better attract bipartisan support, but were facing defeat by bad timing.

"It's a matter of reaching across the aisle, which made me think the Bill Cassidy and Lindsey Graham plan had a chance, but I don't see it getting done before reconciliation is over," Embry said.

Congressional Republicans only have 17 more days to pass certain budgetary legislation on spending, revenues and the federal debt limit with a simple majority vote under reconciliation.

Embry said Republicans could decide to postpone new appropriations made for the 2018 fiscal year by passing a continuing resolution for a set period of time but would be giving up the chance to tackle tax reform under the more favorable guidelines of reconciliation.

Tax reform was one of President Donald Trump's top platform positions along with immigration reform and the repeal of the ACA.

While the Cassidy/Graham plan appealing to Republican interests faces an unlikely path to the

President's desk, Embry said another proposal containing agreeable bipartisan measures could gain momentum.

The Problem Solvers Caucus, made up of more than 40 Democratic, Republican and Independent lawmakers, has been floating a package of policies since late July that Embry said seems to be the best logical step to stabilizing markets.

The Problem Solvers "policies" include actions such as fully funding Cost Reducing Payments through Congress, legitimizing the subsidies made to insurers to offer plans to poor and working-class Americans that lower out-of-pocket costs.

Proponents of the ACA, such as the Center on Budget and Policy Priorities, have pointed to actions from the Trump administration such as threatening CSRs as triggering fluctuations in the market that could be used as signs of the market "imploding."

Trump agreed to make the CSR payments in August and the Centers for Medicare and Medicaid Services has tried to adjust the rate formula insurers use to predict the absence of CSRs, but Embry said a more permanent solution is needed.

"Until they can do something that is properly indexed and put into law – that doesn't have to be revisited every year – we can keep wading into this mess indefinitely," Embry said.

The Problem Solvers plan also includes the establishment of a reinsurance stability fund for states, the adjustment of the number of employees in the employer mandate, the redefinition of full-time employment to 30 to 40 hours a week and the elimination of the medical device tax.

Embry also outlined ideas and proposals supported by members of both parties that could damage the interests of employers and small group insurers. He warned of proposals to eliminate employer's rights to write off contributions to employee health plans as causing 75 percent of employer-offered insurance plans to disappear.

He also explained the benefits of repealing the Excise Tax — known as the Cadillac Tax — that adds a 40 percent tax on plans exceeding a certain premium limit, and the Health Insurance Tax that adds roughly \$500 to the average family policy.

Embry said fluctuations in the individual ACA market does affect small groups and employers, but reform of those issues shouldn't come at the cost of the employer market.

"You have to do what will stabilize the market, but, if you target the group market, you're destroying the plans of 86 percent of the nation for 14 percent in the individual market," Embry said.

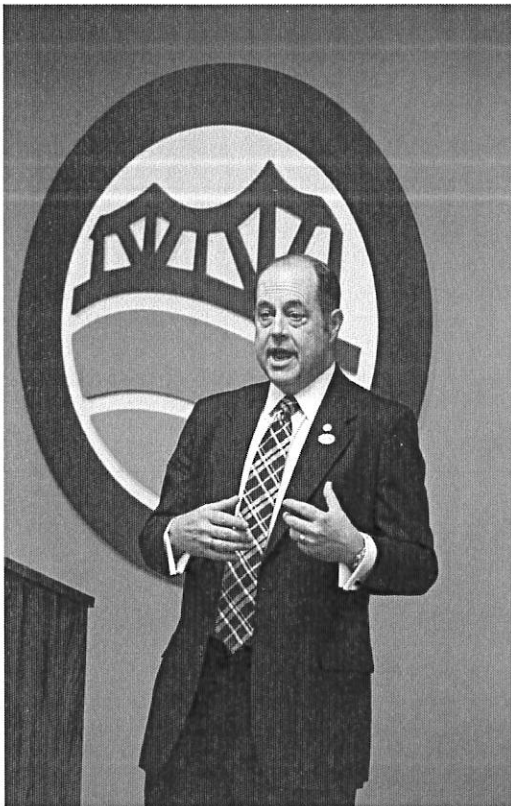
Clay Ford, partner and wealth manager at EM Ford, said having clients and community members hear from experts such as Embry has become a part of the role of benefit advisers after implementation of the ACA.

"The law itself and the changes it's made created a tremendous learning curve for the community and people in the industry tasked with preparing them for the future," Ford said. "There aren't many opportunities to ask direct questions from someone as highly connected to the industry as (Embry), so we are very happy he came to talk to us today."

The NAHU offers industry information and legislative updates by newsletter on its website, <http://nahu.org>.

More information about the ACA, individual plans and enrollment deadlines can be found at <https://www.healthcare.gov/>.

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Alan Warren

Photo by Alan Warren, [awarren@messenger-inquirer.com](mailto:awarren@messenger-inquirer.com) Michael Embry of Southfield, Mich., president of the National Association of Health Underwriters, speaks to representatives for large employers (over 50) at a Healthcare Reform Legislative Update on Thursday at the Commerce Center. The update session was hosted by EM Ford and the Greater Owensboro Chamber of Commerce.