CHANGES COMING IN THE NEW YEAR

**January 19, 2017**

**TIMED OUTLINE**

This course was developed to meet the education training requirements and provide students with 1 hour of continuing education.

**Course Overview:** During this course, participants will learn about major issues impacting the repeal and replacement of the Affordable Care Act through five key points: who, what, how, why, and when. Each of these breaks down the essential points of consideration as Congress works through the process to significantly change healthcare and health insurance policy. The course also reviews how NAHU fits into the overall picture of this process, what we are advocating for, both legislatively and through the regulatory process, and how NAHU members can take an active part in this process. The course also reviews major changes to health insurance that occurred following the close of the 114th Congress through the 21st Century Cures Act.

**Learning Objectives:** Upon completion of the course, the participant will know:

* Recent changes from the 21st Century Cures Act regarding Medicare and HRAs;
* Who the key actors are in reshaping healthcare and health insurance policy, their positions, and how they will play a role in the debate;
* What the central ideas are that are being proposed for reforming healthcare, including leading proposals in Congress;
* How changes can be made through various legislative maneuvers, including an in-depth look at how the budget reconciliation process is likely to be used to amend the ACA;
* Why Congress is debating changes to the law and what the public support is for various changes to how healthcare is regulated by the federal government;
* When Congress is expected to act and how health insurance agents and their clients should respond;
* NAHU’s priorities in this process, both from a legislative and regulatory perspective;
* Various compliance resources that are available to members to understand these changes;
* How members can become involved in the association and process to change healthcare reform.

**PRESENTERS:**

**Marcy M. Buckner**

Vice President of Government Affairs, NAHU

Marcy M. Buckner is the Vice President of Government Affairs with the National Association of Health Underwriters (NAHU). NAHU represents more than 100,000 health insurance agents, brokers and consultants involved in the sale and service of health, long-term care, disability, Medicare Advantage, Medicare Supplement, and a variety of consumer-driven insurance products.

In this role, Marcy manages the association’s state government affairs team, including the monitoring of activities of all state legislatures, insurance departments, and intergovernmental organizations to coordinate efforts to advance the interests of professional health insurance producers. She also serves as the association’s liaison to federal agencies such as HHS and CMS, IRS, and the Department of Treasury.

Marcy received her Bachelor of Arts degree in Political Science and History from the College of Charleston in South Carolina, and her Juris Doctor from New England School of Law in Boston, Massachusetts. While in law school she clerked for the Massachusetts Bar Association, and for the State of Massachusetts in both the Office of Attorney General and the Office of the Comptroller. Marcy started her policy career with Multistate Associates as a Legislative Research Analyst providing legislative and regulatory intelligence to thirteen international corporations, federal agencies, and political interest groups.

**Pamela Mitroff**

Senior Director of Health Reform Compliance, NAHU

Pamela Mitroff joined the staff at the National Association of Health Underwriters in March of 2011 as a Director of State Affairs. She was promoted to the new position of Senior Director of Health Reform Compliance in November 2013. In that role, Mitroff has provided NAHU members consultative compliance assistance, answering more than 1000 written member inquiries annually.

She has more than 30 years in the health care and workers’ compensation insurance and cost control field. Mitroff is a licensed Illinois insurance producer and has held positions with a major insurance company and a third-party administrator of benefit plans for self-funded companies. She was a lobbyist for the Illinois State Chamber of Commerce, lobbying on health insurance, employee benefits and workers’ compensation issues.

Prior to joining NAHU’s staff, Mitroff had been an active NAHU member on federal, state and local levels. Mitroff established the professional lobbying role for the state association (ISAHU). She was Associate Chairman for Employee Benefits of NAHU’s Legislative Council from 2007 to 2010.

Mitroff previously had a Wheaton, Illinois based consulting firm, Pamela D. Mitroff Consulting, Inc. The firm provided services to insurance companies, employers, brokers and associations in the public policy, government relations, employee benefits compliance, marketing and training areas.

In 2012, Mitroff was awarded the prestigious Edward H. O’Conner Memorial Distinguished Service Award from the Chicago & Northeastern Illinois Association of Health Underwriters. She received NAHU’s Distinguished Service Award in 2006 and the NAHU Region 3 Distinguished Service Award for Legislative activities in 2007.

She has a B.A. degree from Knox College in Galesburg, Illinois and an MBA from Dominican University in River Forest, Illinois.

**TIMED OUTLINE**

1. **114th Congress / Lame Duck Changes (5 minutes)**
   1. Status of legislation
   2. 21st Century Cures Act
      1. Medicare Open Enrollment Period
      2. Use of Standalone Health Reimbursement Arrangements
2. **A New World for Health Reform (25 minutes)**
   1. Who
      1. President – Donald Trump
      2. Senate – Mitch McConnell
      3. House – Paul Ryan
      4. Republican Healthcare Principles
         1. Employer Exclusion
         2. High Risk Pools
         3. Age-band Ratings
         4. Tax Credits
         5. Medicaid
         6. Tort Reform
         7. Use of HSAs
         8. Small Business Collectives
   2. What
      1. Background on Republican objectives
      2. Replacement Plan Blueprint
         1. States rights
         2. Purchasing pools
         3. Pre-existing conditions
         4. Sale across state lines
         5. Use of HSAs
         6. FDA Reform
         7. Medicare premium supports
         8. Medicaid block grants
      3. Giving power back to the states
         1. Medicaid: Expansion, block grants, and waivers
         2. Essential Benefits
         3. Rating models
         4. State Innovation grants including High Risk Pools
   3. How
      1. Options for Repeal/Replace
         1. Complete repeal/replace
         2. Amendments to the current law
         3. Partial repeal through reconciliation
      2. Elements that can be repealed through reconciliation
      3. Major issues of concern
         1. Reform in the correct order
         2. Budget-relevant only
         3. Does not convey a replacement
         4. Retains market reforms
         5. Disruptive for consumers and constituents
         6. Death spiral due to adverse selection
         7. Need to agree on replacement
         8. Need for bipartisan support
         9. Carriers leaving the market
   4. Why
      1. Consensus on replacement
      2. Recent polling
         1. Highlights of post-election, recent polling
         2. Bottom Line considerations
   5. When
      1. Major events in the timeline for repeal/replace
      2. ACA Remains law until any changes finalized
3. **NAHU’s Federal Advocacy (10 minutes)**
   1. Legislative Advocacy
      1. Priorities
         1. Tax credits
         2. HIT
         3. Cadillac tax
         4. Medical Loss Ratio
   2. Regulatory Advocacy
4. **21st Century Cures Act     (4 minutes)**
   1. Provisions of note
      1. Medicare Advantage OEP
      2. HRAs for Small Employers
      3. Mental Health Parity
5. **QSEHRAs (7 minutes)**
   1. Qualified small employer health reimbursement arrangement funded solely by employer
   2. Employer not an ALE
   3. Payment or reimbursement for expenses for medical care
   4. Annual limit of $4,950/$10,000
   5. Notices required
   6. Limit on double dipping
6. **Employer Reporting 2017 (2 minutes)**
   1. Extension of deadline for notices to employees
   2. No delay reporting to IRS
   3. Extension of good faith compliance standard
7. **Employers Need to Prepare for Audits (3 minutes)**
   1. Not just ACA compliance
   2. Memorialize decisions
   3. ID personnel to address issues
8. **New SEP for Group plans (1 minute)**
   1. DOL FAQ 35
   2. SEP due to loss of eligibility for individual coverage
9. **Get Involved (5 minutes)**
   1. Washington Update
   2. NAHU Newswire
   3. Operation Shout
   4. HUPAC
   5. Capitol Conference
10. **Concluding Thoughts (3 minutes)**
    1. Membership appeal
    2. Role of Agents/Brokers in Compliance