To: Senate HHS Committee  
From: Karen Malcolm, Protect Our Healthcare Coalition  
Date: January 14, 2021  
Re: SUPPORT S0005 and S0003 – ACA CONSUMER PROTECTIONS

The Protect Our HealthCare Coalition is a group of leading Rhode Island non-profits and consumer groups with a goal to protect and promote quality, affordable healthcare for all. The Coalition also includes hundreds of community members around the state who support the Coalition’s mission.

The COVID-19 crisis has served to reinforce how critically important access to comprehensive healthcare is. Consumer protections are a cornerstone of the Affordable Care Act. The protections were intended to ensure that the health coverage individuals were mandated to purchase would provide affordable access to services that keep people healthy as well as services necessary to address chronic or severe conditions. The ACA consumer protections and expansion of coverage have worked in Rhode Island. We have one of the highest insured rates in the nation. And, according to new research conducted by Families USA, despite massive losses in healthcare coverage nationally due to COVID-19 spurred job losses, Rhode Island is still among leading states for covering our residents. (https://familiesusa.org/resources/the-covid-19-pandemic-and-resulting-economic-crash-have-caused-the-greatest-health-insurance-losses-in-american-history/).

Because of the ACA, more Rhode Islanders have coverage and fewer forgo healthcare because of cost!

• In 2012, nearly 11% of Rhode Islanders were uninsured, compared to just 3.7% in 2018
• In 2012, 51,149 Rhode Islanders reported forgoing medical care due to cost, compared to 27,230 in 2018.

While the federal individual mandate is not currently in force, in 2019, Rhode Island enacted a state-based individual mandate and reinsurance program. Thus it is critical that the consumer protections included in the ACA be enshrined in our state law to ensure that the coverage that residents are required to buy will truly meet their needs. Senate bills 0003 and 0005 are a step forward. For this reason, the Coalition supports both S0003 and S0005. The bills address the following protections:

• Guaranteed purchase, renewability and coverage regardless of pre-existing condition (S0005);
• Guaranteed coverage for the 10 essential health benefits (S0005);
• Guaranteed coverage with no cost share for preventative and wellness services (S0005); and,
• Prohibition against charging a higher premium rate for health coverage based on gender (S0003).

BUT, there is a critical protection that is omitted from these bills - specifically, the ACA’s prohibition against insurer imposition of annual and lifetime limits. The prohibition against these limits is absolutely necessary to ensuring comprehensive, meaningful coverage. The fact is that running up against an annual or lifetime limit would have the same harmful effect as denial of coverage based on pre-existing condition for people with chronic or severe conditions. Without the prohibition stopping insurers from imposing unreasonable limits, access to needed treatment and services such as for cancer, heart disease, diabetes, and even the long-term effects of COVID-19 will be at risk.

Maintaining our commitment as a state to the health and well-being of every Rhode Islander is served well by codifying these important protections in state law. We urge passage of both bills and ask to also include the prohibition against annual and lifetime limits.

Thank you.