To: House Committee on Health & Human Services  
From: Karen Malcolm, Protect Our Healthcare Coalition  
Date: March 9, 2022  
Re: SUPPORT H7500 AND H7560 – Legislation to safeguard ACA health insurance consumer rights and 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 comprehensive, quality, affordable healthcare for all. The Coalition strongly supports House Bills 7500 and 7560 and thanks Representatives Cassar and Speakman for their ongoing commitment to safeguard the ACA’s health insurance consumer rights and protections in Rhode Island state law.

As policy-makers, you may ask, why now? Isn't the ACA safe? While the ACA was upheld by the U.S. Supreme Court in 2021, individual components of the Federal law remain at risk to erosion. New Jersey, among 19 other states, has already taken action to codify key provisions of the law in their own statutes and it is time for Rhode Island to do the same to protect our residents. In fact, the National Council of State Legislators, in a June 2021 review, reports that since 2010, various states, private entities and individuals have challenged parts or all of the ACA nearly 2,000 times in state and federal courts, with some cases still pending. This is in addition to the large-scale federal legislative attacks that, with the potential for future change in Congress or the Federal administration, could threaten to undermine patient protections.

Why are these bills important? We must balance our state-based individual mandate that the General Assembly passed several years ago with the consumer protections that ensure coverage remains both accessible and meaningful. The Affordable Care Act put consumer protections in place to guarantee access to comprehensive coverage that can’t vary benefits and premiums based on health status. Specifically, these bills align Rhode Island law with the ACA protections that assure people will not be discriminated against due to a pre-existing condition and that the premiums they (and/or their employer) pay guarantee coverage for essential benefits and for no cost-share preventative services. The omnibus bill, H7500, also includes the fuller slate of protections including protection for the very ill from losing coverage for life-saving care due to annual or lifetime caps.

These ACA provisions have changed our insurance system for the better, advancing the overlapping but distinct goals of making coverage both accessible and meaningful. Just as health insurance would be meaningless if no one could obtain it (due to restrictions on pre-existing conditions), health insurance would also be meaningless if it didn’t cover needed services such as maternity care, hospitalizations, or wellness screenings.

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1 https://acasignups.net/20/01/16/new-jersey-gov-murphy-signs-whole-bunch-aca-blue-leg-protection-bills-law
Rhode Island has been well-served by the ACA’s emphasis on covering primary and preventative services. These provisions help keep people healthy and save money by keeping more people out of down-stream, higher cost care. In fact, since implementation of the ACA, fewer Rhode Islanders report forgoing medical care due to cost – dropping from 4.9% in 2012 to 2% in 2020\(^4\). And, the percentage of those forgoing diagnostic screenings due to cost dropped from 3.9% in 2012 to 1.9% in 2020\(^5\).

Because these bills simply codify existing health insurance practice, there is no cost to the state and no impact on premiums.

Representative Cassar’s and Representative Speakman’s bills are important for every Rhode Islander, no matter where or how they get their coverage, by safeguarding important ACA health insurance consumer rights and protections regardless of what might happen at the Federal level.

We urge the Committee to vote passage.

Thank you.

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Protect Our Healthcare Coalition partners include: Economic Progress Institute, Mental Health Association RI, RI NOW, RI Parent Information Network, RI Health Center Association, NAACP Providence Branch, United Way of Rhode Island, Planned Parenthood of Southern New England, SEIU Rhode Island Council, Foster Forward, RI Coalition for the Homeless, Rhode Island Working Families Party, Mental Health Recovery Coalition, Oasis Wellness Center, Upstream, RI Community Food Bank, Substance Use & Mental Health Leadership Council, The Womxn Project, Rhode Island Coalition for Children and Families, HousingWorks RI, Rhode Island Organizing Project (RIOP), Thndermist Health Center

\(^4\) https://healthsourceri.com/surveys-and-reports/
\(^5\) https://healthsourceri.com/surveys-and-reports/

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