

MINORITY VIEWS
Committee Print on Legislation Regarding the Committee’s Instruction Pursuant to
Section 2002 (a)(1) of S.Con.Res. 11.
114th Congress, 1st. Session
October 2, 2015

Introduction

Committee Democrats unanimously oppose the Committee Print on legislation regarding the Committee’s instruction pursuant to section 2002 (a)(1) of S.Con.Res. 11.

Committee Democrats voted unanimously against the Committee’s recommendation to the Budget Committee during consideration of the bill on September 30, 2015. And we continue to stand opposed to both the Committee Print and the forthcoming reconciliation package that will undermine the Affordable Care Act (ACA) and put access to women’s health care at risk. The budget conference agreement passed by the Majority in May of 2015 included reconciliation instructions to the Committee on Education and the Workforce to identify \$1 billion worth of budgetary savings. However, the bill considered by the Committee on September 30, 2015 was not a serious effort at deficit reduction. It was simply another attempt to dismantle the Affordable Care Act. Nor was the proposal a serious effort to strengthen a provision of the ACA that requires certain large employers to automatically enroll new full-time employees in one of the employer's health plans. The Committee Print repeals this automatic enrollment employer requirement which applies to large employers. This provision has yet to be implemented and many of the hypothetical concerns with the provision’s implementation could likely be addressed through either the regulatory process or a deliberative legislative process.

To the contrary, this reconciliation process was undertaken solely for the purposes of political theater and to perpetuate the ongoing assault on the ACA. The budget conference agreement that included the reconciliation instructions made that very clear. It states that each reporting Committee should “determine the most effective methods by which the... [ACA] shall be repealed...”¹

Republicans have repeatedly tried to undermine the successes of the ACA. Specifically, they have now lost two Supreme Court challenges and voted 60 times in the House to repeal or undermine the ACA, despite the fact that the President would most certainly veto any repeal legislation. This reconciliation package is just another worn-out attempt at this same futile goal.

But the fact of the matter is the Affordable Care Act is working for millions of Americans, and support for this proposal would only move our country backwards. In 2010, when Congress passed and President Obama signed the Affordable Care Act, we improved a system that left many without any protections. If you lost your job and had a preexisting condition, you would lose your health coverage and likely be unable to find affordable coverage elsewhere. If you were a woman, you could be charged more for your insurance plan than a man. The Affordable

¹ S. Con. Res 11 Section 2002, *The Budget Conference Agreement*, available at: <https://www.congress.gov/bill/114th-congress/senate-concurrent-resolution/11/text>

Care Act addressed these inequities, and other systemic flaws, to give millions of Americans access to quality, affordable health care coverage.

Benefits of the Affordable Care Act

The Affordable Care Act has worked to give millions of Americans access to affordable, quality health insurance. To date, the law has reduced the number of uninsured by 18 million. And as of June 2015, 9.9 million Americans were enrolled in coverage through either the federal health insurance marketplace or one of the state-based marketplaces.² The passage of the Affordable Care Act has given millions of Americans access to health insurance coverage, many for the first time in their lives.

The law has also benefited workers and has improved employer-sponsored coverage. Under the ACA, most health insurance plans now provide recommended preventative health care services without cost-sharing for individuals – including blood pressure screening, vision screening for children, and tobacco cessation information – and an estimated 137 million Americans have insurance coverage that includes these services without cost sharing.³ In addition, before the ACA, nearly one in six workers lacked the protection of an annual out-of-pocket limit. Today, thanks to the ACA, just 2 percent of workers in single coverage lack this kind of out-of-pocket limit.⁴

There have also been noted improvements for workers and employers who pay premiums. The average premium for employer-based family coverage grew 4.2 percent in 2015, continuing the recent pattern of unusually slow growth. Had premium growth since 2010 matched the average rate recorded over the preceding decade, the average total premium for employer-based family coverage would have been nearly \$2,600 higher in 2015.⁵ Furthermore, the Affordable Care Act has helped slow the growth in health care costs, resulting in the lowest annual increase in health care spending since the government began tracking the statistic in 1960.⁶

Young adults are also enjoying better coverage options. Thanks to the reforms passed in the Affordable Care Act, they have the option of staying on a parent's health insurance policy up

² CMS, *Effected Enrollment Snapshot*, June 30, 2015, available at:

<https://www.cms.gov/Newsroom/MediaReleaseDatabase/Fact-sheets/2015-Fact-sheets-items/2015-09-08.html>

³ ASPE, *Data Point: The Affordable Care Act is Improving Access to Preventive Services for Millions of Americans*, May 14, 2015, available at:

<http://aspe.hhs.gov/sites/default/files/pdf/83176/The%20Affordable%20Care%20Act%20is%20Improving%20Access%20to%20Preventive%20Services%20for%20Millions%20of%20Americans.pdf>

⁴ The White House Blog, *New Data Show Slow Health Care Cost Growth is Continuing*, September 22, 2015, available at: <https://www.whitehouse.gov/blog/2015/09/22/new-data-show-slow-health-care-cost-growth-continuing>

⁵ *ibid*

⁶ The White House Blog, *Historically Slow Growth in Health Spending Continued in 2013, and Data Show Underlying Slow Cost Growth Is Continuing*, December 3, 2014, available at:

<https://www.whitehouse.gov/blog/2014/12/03/historically-slow-growth-health-spending-continued-2013-and-data-show-underlying-slow>

until age 26, providing them with more security as they further their education or career. Over 2 million young adults have benefited from this provision.⁷

The law also protects 129 million Americans with pre-existing health conditions, including 17 million children, who no longer have to worry about being denied coverage or charged higher premiums due to their health status.⁸

Use of Reconciliation to Dismantle the Affordable Care Act

While the law can be strengthened and improved upon, the Majority has always indicated their intention to roll back the progress the ACA has made by repealing the law and gutting the benefits American families now enjoy. Unfortunately, this markup was one in a long series of attempts to dismantle the Affordable Care Act. Specifically, the Majority in the House has orchestrated 60 repeal votes, lawsuits, and countless attacks, all with the same goal of turning the clock backwards on the progress we've made in ensuring health coverage for all.

Two other Committees – the Energy and Commerce Committee and the Ways and Means Committee – have also passed reconciliation recommendations that will be packaged together for consideration by the House. Legislation considered in those Committees will make drastic cuts to the Prevention and Public Health Fund, cut funding for Planned Parenthood, and eliminate the employer and individual responsibility provisions in the Affordable Care Act, among other harmful provisions. These three bills amount to a systematic attack on the underpinnings of the Affordable Care Act and are further motivated by the Majority's insistence on defunding Planned Parenthood and taking away comprehensive health services options for women across the country.

Amendments

No Democratic amendments were offered at the September 30, 2015 markup.

Conclusion

Committee Democrats are open to strengthening the Affordable Care Act and building upon the progress that has been made in providing American families with affordable health coverage. However, this markup and the Committee Print represented yet another attempt to undo this progress. For that reason, the Committee Democrats opposed the Committee Print.

Committee Democrats were disappointed that particularly on the last day of the fiscal year, the Committee Majority held this markup, rather than taking up legislation to reauthorize many of the important programs within this Committee's jurisdiction. It is the hope of the Committee Democrats that the next markup will not involve yet another attack on the Affordable Care Act,

⁷ ASPE, *Health Insurance Coverage and the Affordable Care Act*, September 22, 2015, available at: <http://aspe.hhs.gov/sites/default/files/pdf/111826/ACA%20health%20insurance%20coverage%20brief%2009212015.pdf>

⁸ ASPE, *At Risk: Pre-existing Conditions Could Affect 1 in 2 Americans*, November 1, 2011, available at: <http://aspe.hhs.gov/pdf-report/risk-pre-existing-conditions-could-affect-1-2-americans>

but will focus on many of the important areas where Committee Democrats and Republicans share common ground. Just this week, the progress that this Committee and its Members can achieve was shown through a bipartisan bill to reauthorize the Perkins loan program that recently passed with broad bipartisan support. Democrats hope that the Committee can continue to build upon these successes and can continue to come together to improve the lives of working families.



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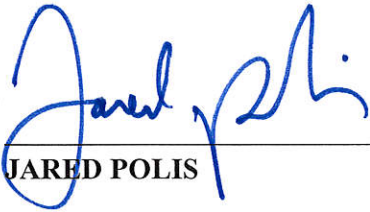
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