



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

December 12, 2016

Dear Senator:

The undersigned organizations are writing as members of the Consortium for Citizens with Disabilities to express our strong opposition to repealing key provisions of the Affordable Care Act (ACA). This would be particularly harmful without simultaneous enactment of a replacement plan that maintains or improves existing coverage and access. Repealing without an adequate replacement in the same vehicle endangers millions of citizens with disabilities who have gained coverage and dismantles critical consumer protections established under the ACA.

The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

Americans with disabilities rely on their health coverage to maintain their independence and meet their medical needs. For many people with disabilities, their lives literally depend on being able to access needed healthcare. Approximately 20 million Americans have gained coverage through the ACA, including many people with disabilities, leading to the lowest uninsured rate in recent history. For millions of others already covered under Medicaid, Medicare and commercial insurance, the ACA has markedly improved affordability and access to services. Importantly, the ACA has been cost effective: the availability of comprehensive, affordable coverage has also led to increased use of preventive care and reductions in uncompensated emergency care and expensive institutional care. Congress should not risk these critical advancements under the ACA without having in place a specific plan that ensures consumers' ongoing access to comprehensive, affordable coverage.

The ACA has unquestionably improved access to care for people with disabilities and chronic conditions to help them live healthy, independent, and fulfilling lives. We are particularly alarmed that Congress reportedly will consider in January repealing the ACA and delaying the effective date while developing a replacement. This will place at serious risk the lives of individuals with disabilities and chronic conditions who rely on ACA health plans or obtained Medicaid coverage in the 32 states that expanded Medicaid. These individuals fear what the loss of access to health coverage will mean for their health, independence, and ability to function in

the community. We also are concerned that this endangers the continuation of Medicaid options created by the ACA that allow states the flexibility to innovate their programs and rebalance resources from expensive institutional care into cost-effective community services, like the Community First Choice Option. Finally, we have grave concerns that wholesale repeal of the ACA without a comprehensive replacement will result in barriers to care for people with disabilities, like discrimination against people with pre-existing conditions. If you do consider changes to the ACA, it is critical that you engage the disability community as you develop any proposals to ensure that any replacement legislation meets the needs of people with disabilities. We stand ready to meet with you at any time to begin this conversation.

The undersigned organizations support efforts to improve access to health care. We believe repealing the ACA would create huge access barriers for millions of Americans, especially if no fully defined replacement is in place to meet the health care needs of individuals with disabilities and chronic health conditions, and all uninsured Americans. If you have any questions, please contact Julie Ward (ward@thearc.org).

Sincerely,

ACCSES

Advance CLASS

American Association on Health and Disability

American Association on Intellectual and Developmental Disabilities

American Association of People with Disabilities

American Congress of Rehabilitation Medicine

American Council of the Blind

American Counseling Association

American Dance Therapy Association

American Foundation for the Blind

American Music Therapy Association

American Network of Community Options and Resources

American Occupational Therapy Association

American Psychological Association

American Speech-Language-Hearing Association

American Therapeutic Recreation Association

Association of Assistive Technology Act Program

Association of People Supporting Employment First

Association of University Centers on Disabilities

Autistic Self Advocacy Network

Bazelon Center for Mental Health Law

Brain Injury Association of America

Center for Public Representation

Christopher & Dana Reeve Foundation

Community Legal Services

Disability Rights Education and Defense Fund

Division for Early Childhood of the Council for Exceptional Children
Easterseals
Epilepsy Foundation
Family Voices
Justice in Aging
Learning Disabilities Association of America
Lupus Foundation of America
Lutheran Services in America Disability Network
Mental Health America
Madison House Autism Foundation
National Alliance on Mental Illness
National Alliance to End Homelessness
National Association for the Advancement of Orthotics and Prosthetics
National Association of Councils on Developmental Disabilities
National Association of Disability Representatives
National Association of School Psychologists
National Association of State Directors of Developmental Disabilities Services
National Association of State Directors of Special Education
National Council on Aging
National Council on Independent Living
National Disability Institute
National Disability Rights Network
National Down Syndrome Congress
National Health Law Program
National Multiple Sclerosis Society
National Respite Coalition
Paralyzed Veterans of America
Parent to Parent USA
Rehabilitation Engineering and Assistive Technology Society of North America
School Social Work Association
SourceAmerica
TASH
The Advocacy Institute
The Arc of the United States
United Cerebral Palsy
United Spinal Association



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People with Disabilities Benefit from the Affordable Care Act

Determining whether health reform proposals can meet the needs of people with disabilities requires analyzing the proposals from a disability perspective.

CCD's longstanding principles for health care reform guide our assessment of all healthcare reform proposals from a disability perspective:

- *Non-Discrimination: People with disabilities of all ages and their families must be able to fully participate in the nation's health care system.*
- *Comprehensiveness: People with disabilities and their families must have access to benefits that provide a comprehensive array of health services, including behavioral health, rehabilitation and habilitation, assistive device, long-term services and supports, and support services across all service categories and sites of service delivery.*
- *Continuity: People with disabilities of all ages and their families must have access to health care that responds to their needs over their lifetimes, and provides continuity of care that helps treat and prevent chronic conditions.*
- *Appropriateness: People with disabilities and their families must be assured that comprehensive health, rehabilitation, and long term support services are provided on the basis of individual need, preference, and choice.*
- *Equity: People with disabilities and their families must have equitable access to health coverage programs and not be burdened with disproportionate costs.*
- *Efficiency: People with disabilities and their families must have access to health care that is effective and high quality with a minimum of administrative waste.*

The ACA made significant progress in expanding access to health care in ways that align with these principles. The flexibility for states to expand their Medicaid program to childless adults earning up to 138% of poverty has helped millions of people, including individuals with disabilities and chronic health conditions. The additional federal contribution to expanding Medicaid has helped more people access health care without harming the existing programs that provide supports and services to people with disabilities.

In addition, the private sector reforms have allowed people with disabilities and chronic conditions to obtain affordable access to private health insurance, many for the first time. Some examples of key provisions in the ACA that have particularly helped people with disabilities and chronic conditions include:

1. Strong nondiscrimination provisions and health insurance reforms such as;
 - Banning the exclusion of people based on pre-existing conditions,
 - modifying community rating,
 - eliminating annual and lifetime caps,
2. Improving affordability of private health insurance through premium tax credits and cost-sharing assistance for low and moderate income individuals and eliminating medical underwriting;
3. Requiring a more comprehensive benefit packages which includes rehabilitative and habilitative services and devices and mental health and substance abuse disorder services including behavioral health treatment and critical prescription drug coverage;
4. Expanding access to health insurance in a number of important ways including;
 - Medicaid expansion to childless adults
 - Expanding mental health parity provisions
 - Requiring coverage for dependents until age 26
 - Creating health insurance market places
 - Improving accessibility of medical diagnostic equipment
5. Expanding access to long term supports and services by;
 - Creating the Community First Choice Option allowing states to provide participant-directed home and community based attendant services and supports as part of their state Medicaid plan
 - Providing enhancements to the state plan home and community based services option
 - Extending the Money Follows the Person Rebalancing Demonstration
 - Creating the Balancing Incentive Program to incentivize states to increase access to non-institutional LTSS

The ACA also seeks to improve public health by eliminating cost-sharing for preventives services, emphasizing preventative services in the Medicaid and Medicare program, including prevention as an essential health benefit and providing much needed funding through the Prevention and Public Health Fund and improving data collection about people with disabilities and recognizing disability in health care disparity work.

There are countless other provisions in the ACA that are important to people with disabilities. The ACA has unquestionably improved access to care for people with disabilities and chronic conditions to help them live healthy, independent, and fulfilling lives. To eliminate the ACA or to eliminate the ACA without simultaneously replacing it with an alternative jeopardizes this progress and puts consumers' ongoing access to comprehensive, affordable coverage at risk. It is critical that the disability community is a part of any discussion about repeal and replace to ensure that any changes meet the needs of people with disabilities.