



Legislative Update on Federal Health Reform! Pennsylvania Health Law Project

Wednesday, July 26: Neither Republican leaders of the U.S. Senate nor the White House have given up on their efforts to fundamentally change the Affordable Care Act (ACA). Yesterday, the Senate narrowly voted (51-to-50) to begin debate to repeal major provisions of the ACA. Senator John McCain of Arizona cast a crucial vote despite his diagnosis of brain cancer. Although Senator McCain voted to begin debate on repeal he [urged](#) a more bi-partisan process.

Even as the Senate voted to begin debate, Republicans are unsure of the contents of their final plan. Republican Senate leaders are trying to change the Affordable Car Act using rules for budget reconciliation, a Senate process that limits debate and allows a bill to pass with only a simple majority. That process comes with a [set of very specific rules](#).

All the Republican proposals to replace the Affordable Care Act have focused on drastically cutting projected Medicaid spending. Some Republicans have balked at these replacement proposals saying that they could hurt Medicaid coverage in their home states. Others Republican Senators thought the Republican proposals left too much of the old health law in place.

After debate was opened yesterday, Republican leaders' most comprehensive replacement fell far short of the votes it needed. All Democrats and nine Republicans defeated that comprehensive plan, which was written to appeal to conservatives and moderates in the Republican party. It included a provision devised by Senator Rob Portman, Republican of Ohio, to help pay out-of-pocket medical costs for low-income people including those who buy private insurance after losing Medicaid coverage.

The Senate is next expected, as soon as today, to vote to repeal the Affordable Care Act without putting in place any replacement. The nonpartisan [Congressional Budget Office said](#) that if senators opted simply to repeal the existing law, [32 million more people would be uninsured](#) in 2026 compared with current law. Premiums, it said, would increase at least 20 percent in the first year and would double by 2026.

Those numbers disturbed a [bipartisan group of governors](#), including Pennsylvania Governor Tom Wolf. "The Senate should immediately reject efforts to repeal the current system and replace sometime later," said the group earlier this month, which consists of five Republicans, five Democrats and one independent. "This could leave millions of Americans without coverage. The best next step is for both parties to come together and do what we can all agree on: fix our unstable insurance markets."

The Senate vote to simply repeal the ACA is expected to fail. We don't know what substitutes and amendments will be offered next and by whom.

Several recent pieces have been published about the impact of the Senate's repeal bill on Medicaid:

- [Medicaid Changes in Senate Bill Go Beyond ACA Repeal](#) (Kaiser Family Foundation)
- [Senate Bill Jeopardizes Medicaid Home- and Community-Based Services](#) (AARP)
- [Economic and Employment Consequences for States if Senate Bill Passes](#) (The Commonwealth Fund)

Pennsylvania Republican Senator Pat Toomey has supported the Republican effort. Yesterday he voted to open debate and for the comprehensive plan. He has argued that Pennsylvanians need relief from the ACA's flaws. Pennsylvania Senator Robert Casey has opposed Republican efforts and warned that rolling back Medicaid could, among other harms, cost people treatment for opioid abuse. Yesterday he voted against opening debate and voted against the comprehensive plan.

In short, the Senate is now moving ahead with debate, amendments and ultimately a final vote in the coming days on legislation. Readers can visit [this website](#) to track amendments. But it is entirely possible that by week's end, the senators will have passed nothing.

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