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Overview of the CLRC

• Confidential services
• English & Spanish or language line
• Education Model

www.CancerLegalResourceCenter.org
National Telephone Assistance Line

1. Phone Calls
2. Emails
3. Letters
4. Faxes
5. Online Intake Form

www.clrcintake.org
Today’s goals: giving an overview of...

1) Consumer protections
2) Getting Health Coverage
3) Open Enrollment in Health Insurance Exchanges
Health Reform Today
Which policies have to comply?

**MOST** group and individual plans

May **NOT** apply/differently to:

- TRICARE
- Medicare/Medicaid
- Flexible spending accounts (FSA)/ Health Savings Accounts (HSA)
- Indian Tribal Governments
What’s a Grandfathered Plan?

• Policies issued prior to 3/23/10 = Grandfathered
  – Unless substantial changes

• Policies issued on or after 3/23/10 = comply immediately
Lifetime and Annual Limits

• Previously...
  – Limits on benefits paid out each year or over the entire course of the policy
  – As low as $50,000
Presented by: Jane Doe, Esq. 
Staff Attorney, Cancer Legal Resource Center

Lifetime Limits Post ACA

- No **lifetime** limits on “**essential health benefits**”
  - Ex: emergency care, hospitalization, Rx, ambulatory care, etc.

Appears to ALL plans
Annual Limits Post ACA

- **Annual limits/caps on “essential health benefits”** ended on January 1, 2014

- ✔️ Applies to grandfathered plans
  - Group → YES
  - Individual → NO
Rescissions Post ACA

**ONLY if:**
- Fraud
- OR
- Intentional Misrepresentation of Fact

Plans must give 30 days notice

☑ Applies to ALL Plans
Changes in Preventive Care

Covered!

In-Network?

- NO deductibles
- NO co-payments
  - Medicare, too!

**NOT** grandfathered plans
Expanded Coverage for Kids & Young Adults

Children covered under parent’s plan until age 26

☑ Applies to ALL plans
Pre-Existing Conditions

- As of January 1, 2014 insurers cannot consider:
  - Pre-existing condition (physical or mental)
  - Health status
  - Medical history
  - Genetic information
  - Gender
Internal Appeal Rights

For plans and policies beginning July 1, 2011

• Notification of reason for denial and rights to appeal
• Must respond to appeal in
  – 72 hours for urgent request
  – 30 days for non-urgent
  – 60 days for denial of payment for services already received

Applies to self-insured plans

**NOT** to grandfathered plans
External Appeal Rights

As of January 1, 2012

• Independent external review body
• 60 days to request and respond
• Expedited appeals are responded to in 4 days
• Some states already had external appeals

✓ Applies to self-insured plans
✗ NOT to grandfathered plans
Medicare Improvements

- Free Preventive Services
- Annual wellness visit
- Medicare Advantage Plans - 85% Medical Loss ratio
- Cost controls (helps keep Part B premiums down)
Part D - Cost of Sharing

Donut hole will be reduced from 100% cost share to 25% by 2020!

<table>
<thead>
<tr>
<th>Year</th>
<th>You Will Pay This Percentage for Brand-name Drugs in the Coverage Gap</th>
<th>You Will Pay This Percentage for Generic Drugs in the Coverage Gap</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>50%</td>
<td>93%</td>
</tr>
<tr>
<td>2012</td>
<td>50%</td>
<td>86%</td>
</tr>
<tr>
<td>2013</td>
<td>47.5%</td>
<td>79%</td>
</tr>
<tr>
<td>2014</td>
<td>47.5%</td>
<td>72%</td>
</tr>
<tr>
<td>2015</td>
<td>45%</td>
<td>65%</td>
</tr>
<tr>
<td>2016</td>
<td>45%</td>
<td>58%</td>
</tr>
<tr>
<td>2017</td>
<td>40%</td>
<td>51%</td>
</tr>
<tr>
<td>2018</td>
<td>35%</td>
<td>44%</td>
</tr>
<tr>
<td>2019</td>
<td>30%</td>
<td>37%</td>
</tr>
<tr>
<td>2020</td>
<td>25%</td>
<td>25%</td>
</tr>
</tbody>
</table>
Clinical Trials Post ACA

• Health insurance **MUST** cover routine costs

• **CANNOT** discriminate for participating

• **No preemption** for more protective state laws

**NOT** grandfathered plans
Clinical Trials Post ACA

NOT covered:

- Investigational treatment/device/service itself
- Items/services solely for satisfying data collection and analysis needs (not used in the clinical management)
- Any service clearly inconsistent with standards of care
Getting Health Coverage
Individual Mandate

US citizens/legal residents MUST have health coverage

- Short breaks – OK
- Certain exemptions

If not: penalties
Medicaid Expansion
ACA expands Medicaid eligibility, but…

“Newly-eligible” ≥ 133% of Federal Poverty Level (FPL) (with a 5% income disregard)

In 2015, 133% of Federal Poverty Level =

Individual: $15,654 annual income
Family of 4: $32,252 annual income
the Supreme Court’s Decision limits Medicaid expansion

• States must voluntarily agree to accept more funding for expansion
Important reminder:

You can enroll in Medicaid at any time!
Insurance Affordability

When setting premium rates, insurers can only consider:

- Individual or Family
- Age
- Rating Area (geographic location)
- Tobacco Use (varies by state)
Healthcare.gov

Insurance for anyone who can afford it – including people with pre-existing conditions
Special Enrollment

Some qualifying life events:

• Losing insurance
• Income Changes
• Moving
• Getting Married/Divorced
• Turning 26
Open Enrollment

Plan Options in Exchanges

- **Bronze** = plan covers 60%; you pay 40%
- **Silver** = plan covers 70%; you pay 30%
- **Gold** = plan covers 80%; you pay 20%
- **Platinum** = plan covers 90%; you pay 10%
- **Catastrophic** = covers essential benefits but has high deductible
Tax Credits/Premium Subsidies

Income under 400% FPL

- 400% = $46,680 individual; $95,400 family of 4 (2015)

No employer sponsored health insurance, No Medicare/Medicaid
## Qualifying for Lower Costs

<table>
<thead>
<tr>
<th>Number of people in your household</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Private Marketplace health plans</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>You may qualify for <strong>lower premiums on a Marketplace insurance plan</strong> if your yearly income is between...</td>
<td>$11,670 - $46,680</td>
<td>$15,730 - $62,920</td>
<td>$19,790 - $79,160</td>
<td>$23,850 - $95,400</td>
<td>$27,910 - $111,640</td>
<td>$31,970 - $127,880</td>
</tr>
<tr>
<td>See next row if your income is at the lower end of this range.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>You may qualify for <strong>lower premiums AND lower out-of-pocket costs for Marketplace insurance</strong> if your yearly income is between...</td>
<td>$11,670 - $29,175</td>
<td>$15,730 - $39,325</td>
<td>$19,790 - $49,475</td>
<td>$23,850 - $59,625</td>
<td>$27,910 - $69,775</td>
<td>$31,970 - $79,925</td>
</tr>
<tr>
<td><strong>Medicaid coverage</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If your state is expanding Medicaid: You may qualify for <strong>Medicaid coverage</strong> if your yearly income is below...</td>
<td>$16,105</td>
<td>$21,707</td>
<td>$27,310</td>
<td>$32,913</td>
<td>$38,516</td>
<td>$44,119</td>
</tr>
<tr>
<td>If your state isn't expanding Medicaid: You may not qualify for <strong>any Marketplace savings programs</strong> if your yearly income is below...</td>
<td>$11,670</td>
<td>$15,730</td>
<td>$19,790</td>
<td>$23,850</td>
<td>$27,910</td>
<td>$31,970</td>
</tr>
</tbody>
</table>
If you signed up for coverage in 2015:

Automatic enrollment in same or similar plan

OR

Enrollment in different plan
IMPORTANT: You must report changes to the information you provided on your 2015 application

Includes changes in:

- Income;
- Household;
- Permanent address;
- Eligibility for other coverage; etc.
Other Options for Buying a Health Plan

- Directly from an insurance company
- Through an insurance agent or broker
- From an online health insurance seller
## Putting the Pieces Together

- Medicaid – less than 138% FPL (if expansion)
- Tax Subsidies – 138-400% FPL
- Health Exchange will place people in either

<table>
<thead>
<tr>
<th>Percent FPL</th>
<th>Individual</th>
<th>Family</th>
</tr>
</thead>
<tbody>
<tr>
<td>138%</td>
<td>$16,105</td>
<td>$32,913</td>
</tr>
<tr>
<td>400%</td>
<td>$47,080</td>
<td>$97,000</td>
</tr>
</tbody>
</table>
For more information:

Disability Rights Legal Center

CLRC
Cancer Legal Resource Center

www.cancerlegalresourcecenter.org
1-866-THE-CLRC