

Rep. McSally LEGISLATION TO Prevent Congressional AHCA Exemptions

TOPLINE:

Members of Congress should live by the same rules as everyone else. Period. This bill makes a simple technical correction to ensure that the American Health Care Act (AHCA) and its amendments apply equally to everyone.

Background:

The challenge is drafting a House bill to comply with Senate rules.

Since the AHCA is written to comply with the U.S. Senate's procedural instructions for reconciliation, several provisions of Obamacare must not be touched by the AHCA in order to protect the bill's privileged status – 51-vote threshold – in the Senate. Unfortunately, one of these provisions that must not be touched includes how Obamacare affects Members of Congress – this is according to specific guidance from the Senate in an effort to comply with their reconciliation procedures.

Under the AHCA as amended, states may apply for waivers to give patients more choice and allow states greater flexibility to design their health care markets. Specifically, states may seek waivers to three of Obamacare's costliest mandates: essential health benefits, known as EHBs; age rating; and, community rating. However, because of the drafting issues mentioned above, this means Members of Congress cannot be affected by community rating in the underlying bill.

It's worth noting that in waiving these federal mandates, health insurers would not be allowed to discriminate by gender or pre-existing conditions, and no one could be denied coverage.

And protections against being charged higher premiums for pre-existing conditions are preserved for every individual market plan holder who maintains continuous coverage.

Solution:

Recognizing this inequity, U.S. Rep. Martha McSally (R-AZ) has introduced a straightforward and practical bill to fix this problem.

It is a simple, two-page bill that says when the American Health Care Act becomes law, Members of Congress and congressional staff will be treated the same way as any other citizen.

This reasonable fix should enjoy bipartisan support from all members of Congress, especially those who represent fairness and opportunity for all Americans.