



The Enzi Bill: Bad Medicine for America

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The Senate Health, Education, Labor and Pensions (HELP) Committee recently approved S. 1955, the Health Insurance Marketplace Modernization and Affordability Act, sponsored by Senator Michael Enzi of Wyoming. If this legislation becomes law, more than 85 million Americans will lose important consumer protections that now apply to their health insurance.

- **The Senate HELP Committee bill overrides important state laws that regulate health insurance plans.** This legislation will allow insurers to offer plans without the benefits and services that state legislators have identified as critical for Americans. These changes apply to the small group, large group, and individual health insurance markets. Consumer protections will be lost in every state. Some of the more common protections that will be lost are the following:

- **Key medical treatment protections lost in at least 20 states:** Alcoholism treatment, cervical cancer screening, colorectal screening, dental anesthesia, diabetic supplies and education, drug abuse treatment, emergency services, home health care, mammography screening, mental health care, metabolic disorders, prostate cancer screening, and well-child care.
- **Access to providers lost in at least 20 states:** Chiropractors, dentists, nurse midwives, nurse practitioners, optometrists, osteopaths, podiatrists, psychologists, social workers, as well as public and other facilities.

These protections are the result of years of consideration by state legislators and regulators across the country. Not only does the committee's bill wipe out these existing laws, but it also prevents state legislators from making decisions in the future about other protections for the state's health care consumers.

- **The Senate HELP Committee bill sets aside state laws that protect consumers in the small group market from discriminatory pricing practices.** Taking a step opposed by the National Association of Insurance Commissioners, the committee's bill would allow insurers to charge small businesses as much as 50 percent more for premiums if some of their workers are in less-than-perfect health. It would also allow unlimited premium increases based on the sex or age of workers or on other demographic factors. Currently, 31 states have stronger consumer protections pertaining to pricing—all of which would be set aside.

- **The Senate HELP Committee’s bill forces consumers to choose between accepting barebones policies and paying higher rates for the more comprehensive coverage they need.** Many people who need more than barebones coverage will wind up with much higher premiums than they pay today, making health insurance even more unaffordable. This will occur as people who need health care the most—people with health conditions or disabilities—become more and more isolated in traditional, comprehensive coverage, causing their premiums to skyrocket.
- **The Senate HELP Committee’s bill increases the cost of insurance for many small businesses by pitting younger, healthier groups against older, sicker groups.** Existing consumer protections that regulate how much insurers can raise premiums when a small business renews coverage would be set aside. Small businesses—even those with just one sick worker—could see their premiums rise sharply.
- **While insurers and other industry members will be represented on the commission that will rewrite state laws on marketing and other administrative practices, no consumer organizations will be allowed to vote.** Six of the 14 voting members of the commission will come directly from the insurance industry, while not one single consumer representative will be allowed to vote.