

2020 Election Results: Implications for America's Health Care Future

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Agenda

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- ❑ 2020 Election: What's At Stake in Health Care
- ❑ Federal Election Results & Key Issues to Watch
- ❑ Federal Health Equity Opportunities in 2021
- ❑ State Election Results, Medicaid, and Other Key Issues to Watch
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- ❑ Q&A
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2020 Election: What's At Stake in Health Care

In 2020, Health Care Was on the Ballot

2020 Election Backdrop

- **COVID-19:** Country experiencing immense tragedy, grief due to COVID-19 pandemic
 - As of this morning, there have been more than 230,000 deaths due to COVID-19, with nearly 9.5 million infections reported.
 - In the last two weeks, a 45 percent spike in COVID-19 infections surged across swing states.
 - In the beginning of October, total unemployment reached more than 12 million.
- **Racial Justice:** Sparked by the George Floyd murder, calls for racial justice and civil rights broke through America's consciousness in new ways.
- **SCOTUS:** Passing of Justice Ruth Bader Ginsberg led to the swift and controversial confirmation of a new U.S. Supreme Court Justice, Amy Coney Barrett. Future of the Affordable Care Act, *Roe v. Wade*, LGBTQ rights, voting rights, and other key issues are uncertain.

Key Health Care Issues Important to Voters in 2020

COVID-19 Pandemic
Response

Affordability
including Drug
Pricing and Surprise
Medical Bills

Health Equity and
Racial Justice

Future of the ACA



Biden's Blueprint for Health Care

Comprehensive, scientifically –based, nationally coordinated COVID-19 response

Protect and Build On the Affordable Care Act

Public Option Based on Medicare

Medicare Part D Direct Price Negotiation

Improved Affordability in the Marketplaces

Strengthening and Expanding the Medicaid Program

Addressing Coverage Needs of Immigrant Populations

Strong Interest in Racial Justice and Health Equity



President Trump's Record on Health Care

Record to Date

- Weakly coordinated response to the pandemic, infections and deaths at much higher levels overall than other developed nations.
- Number of uninsured increased every year, as did number of uninsured children
- Failed efforts to remove approximately \$1 trillion in funding for Medicaid and affordability in HIX, would result in almost 30 million families losing coverage
- Tried to weaken Medicaid program through paper/work requirements, block grants and other policies
- Fought consumer protections in court, including preexisting conditions
- Promoted junk coverage via short-term limited duration plans (STLD)
- Openly hostile to immigrant and LGBTQ populations (e.g., Public Charge, 1557 regulations) as well as reproductive freedoms.

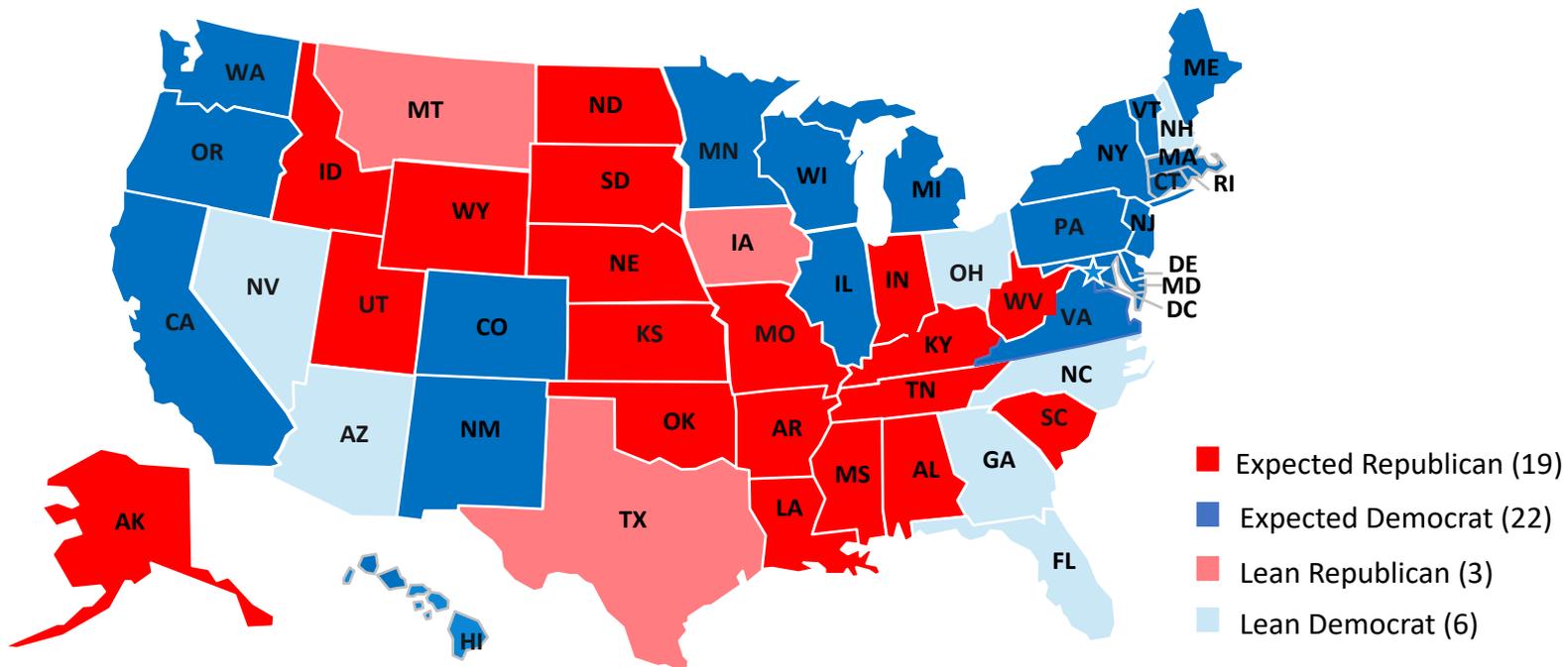
Smaller-Scale Efforts for Improvements

- A great deal of rhetoric but no real action on prescription drug pricing and surprise medical bills
- Modest push on pricing transparency
- Some efforts around payment and delivery reform focused on allowing smaller segments of health care sector to participate

Federal Election Results & Key Issues to Watch

Heading Into the Final Days, Polls Favored Biden at 89%

Weighted polling averages predicting most likely outcome, Biden surpasses 270 electoral votes eventually with 343 votes versus Trump with 187

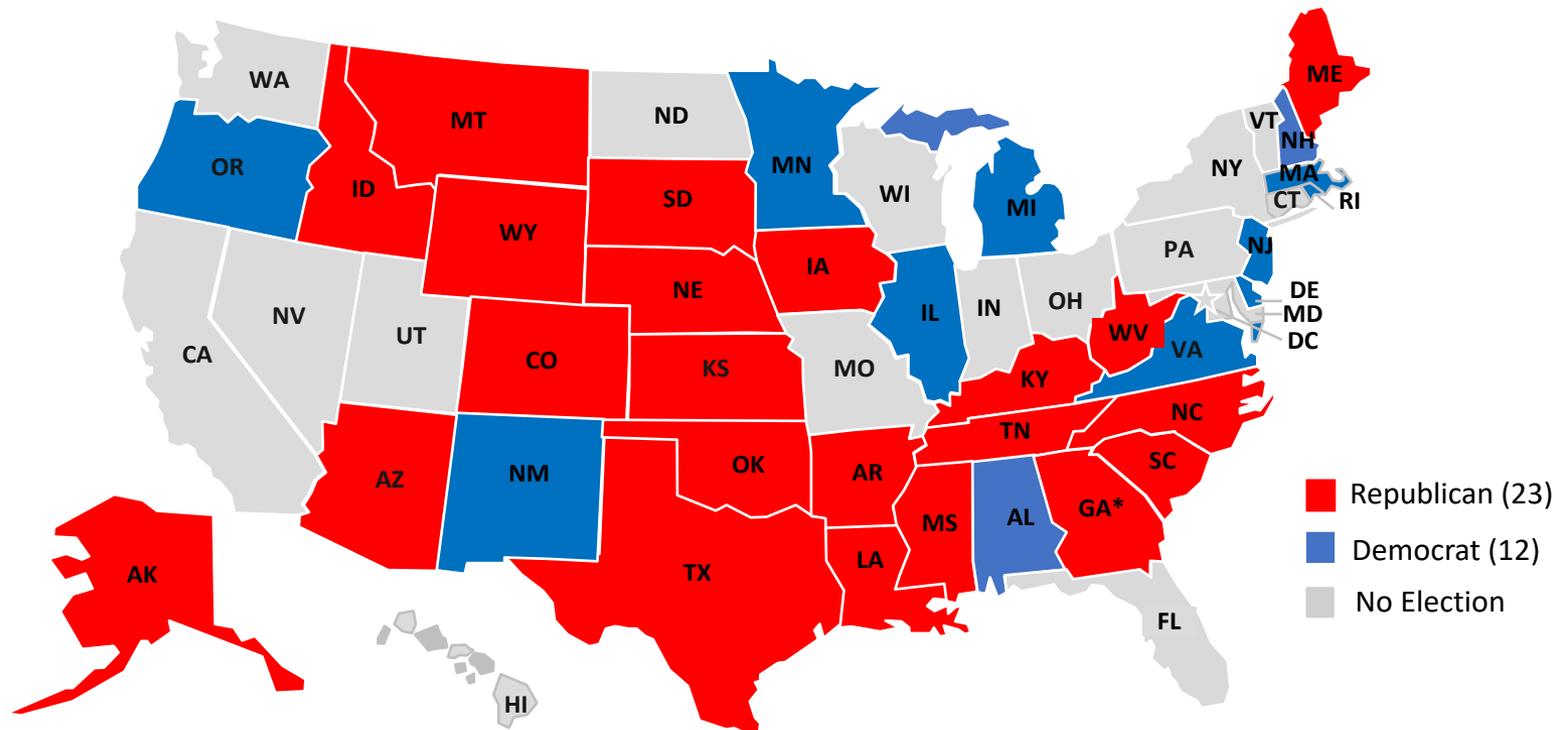


Biden: 343 votes

Trump: 187 votes

In Senate, GOP Currently Holds a Majority, 53 to 47

A net of 4 seats needed to flip the Senate to a Democratic majority

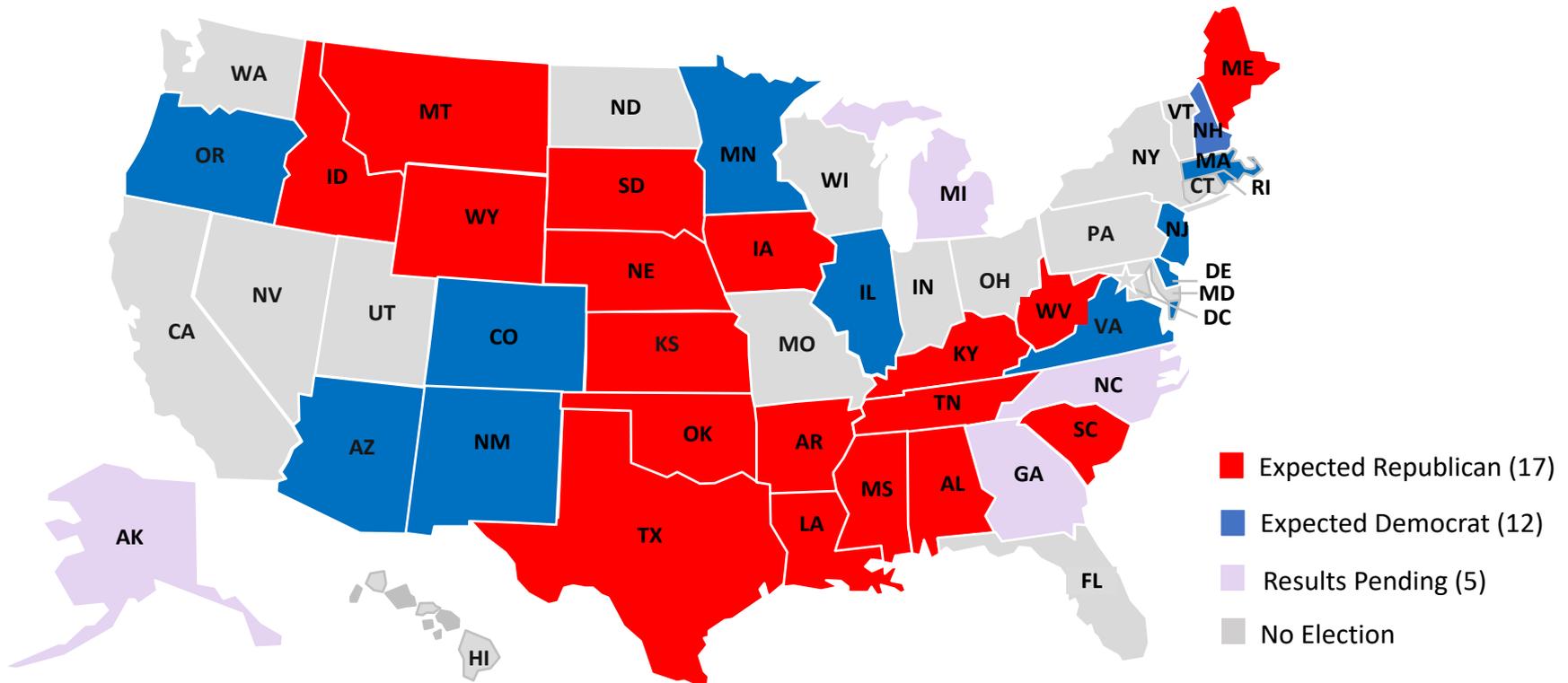


* Note two seats in Georgia

Sources: <https://projects.fivethirtyeight.com/2020-election-forecast/senate/>

Senate: Current Results Show GOP Holding Majority (48 to 47)

Most likely outcome is that Senate Republicans hold majority and Democrats pick-up net of 1 or 2 seats.

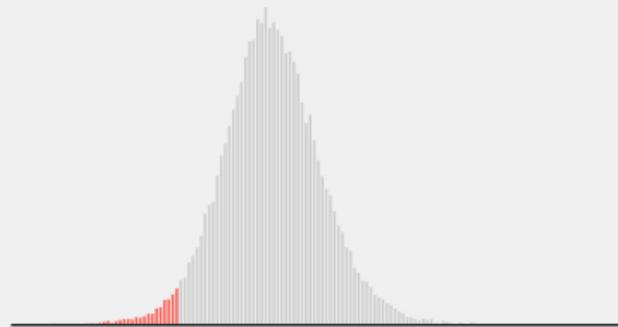


House: Democrats Clearly Favored to Hold-on by Large Margins

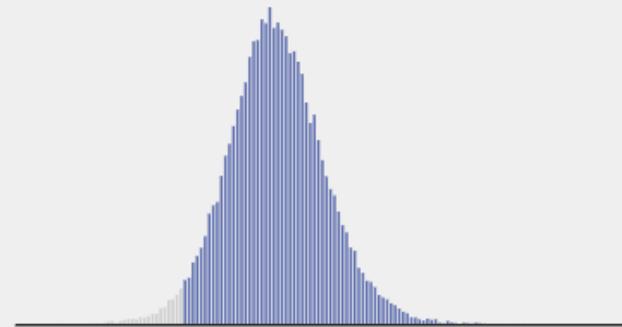
In the current session of the 116th Congress, Democrats hold 233 seats, Republicans hold 201 seats, and there is one Libertarian.

Predictions by FiveThirtyEight, dated October 30, 2020

Democrats have an 80% chance of holding between 226 and 256 seats



In **2 in 100** scenarios, Republicans win control



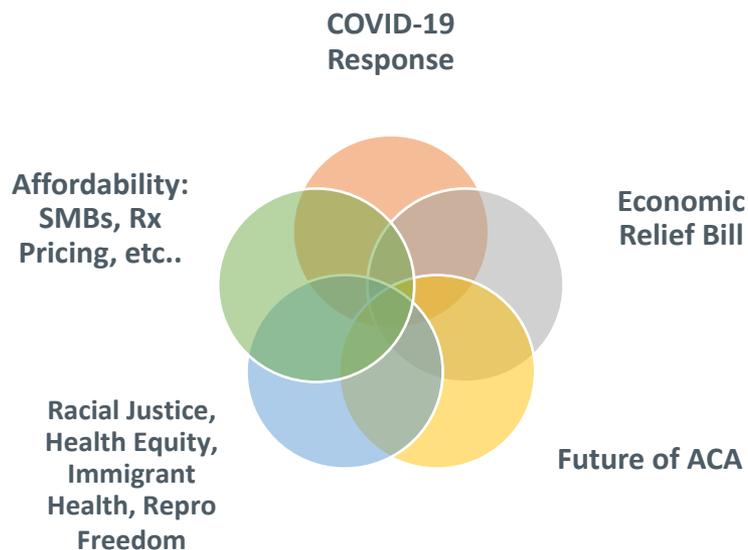
In **98 in 100** scenarios, Democrats win control

Surprise outcome is most likely with Republicans picking-up 4 to 6 seats.

Implications for Federal Action on Health

Health will Be Front-and-Center Next Year

Key Health Care Priorities for New Congress and Administration



Other Key Issues Connected With Reforms:

Medicare oral health care benefit, surprise medical bills, enrollment simplification, etc.

Considerations for Advancing Health in 2021

- Nationally coordinated pandemic response and economic relief still top of the list of priorities
- Senate dynamics will be central. Must be able to garner McConnell / Republican leadership's support
- ACA-SCOTUS Dynamics. Despite very strong legal arguments, politicization of SCOTUS means the future of the ACA hangs squarely in the balance. Incredibly important leverage point for Majority Leader McConnell
- Several key priorities such as rolling back harmful Medicaid waivers and Medicaid improvements, racial justice and health equity, protections for immigrant families, reproductive freedom, HIX affordability improvements, likely to be centered on Administration-only action
- Health care affordability still at the center of most voter's minds (Rs and Ds). Opportunities for action around Rx Pricing, Surprise Medical Bills, private coverage and other affordability concerns remain in play on both Congressional and Administrative levels

Federal Health Equity Opportunities in 2021

We Face a Pivotal Movement with Opportunities and Challenges

OPPORTUNITIES

Increased mobilization around racial equity and justice, which will require organization among health advocates to have the greatest impact

Bipartisan momentum around key equity issues like maternal mortality, substance use treatment, and criminal justice

Renewed energy to address coverage gaps, immigration-based barriers to care, and preserving continuity of care

A larger and more powerful Congressional Tri-Caucus membership to advance a comprehensive health equity agenda

Greater appetite for cross-sector collaboration which is essential for promoting health equity in communities, and the upstream drivers of health and health care outcomes

CHALLENGES

National reckoning on racial injustice and the need to acknowledge racism as a public health issue

Stark racial and ethnic inequities in COVID-19 case rates and deaths continue to persist

Rising economic insecurity, with women of color suffering greater financial difficulty

Disparate effects in the number of uninsured which are compounded by immigration-based barriers to care

Threats to reproductive justice

Rollback of nondiscrimination protections



Bold Health Equity Policy Solutions Exist

Key Elements of an Equitable COVID-19 Response and Recovery Plan

- Access to affordable health coverage for all
- Flexible funding for states to offset major revenue losses and to prevent cuts to programs and services that impact equitable health outcomes
- Targeted action to organize and build a robust health infrastructure
- Investments in the social and economic drivers of health
- Prioritizing equity in vaccine allocation, distribution, and uptake, which includes building trust and trustworthiness, prioritizing resources to the most vulnerable, and expanding access through channels like the community-based workforce
- Creating a diverse, community-based health workforce

Health Equity Policy Priorities Beyond COVID-19

Achieving health and racial equity through justice reform

Pass the *Health Equity and Accountability Act* (HEAA)

Advance equitable community development and environmental justice

Center equity in delivery system and payment reform

Ensure network adequacy for behavioral health services



State Election Results, Medicaid, and Other Key Issues to Watch

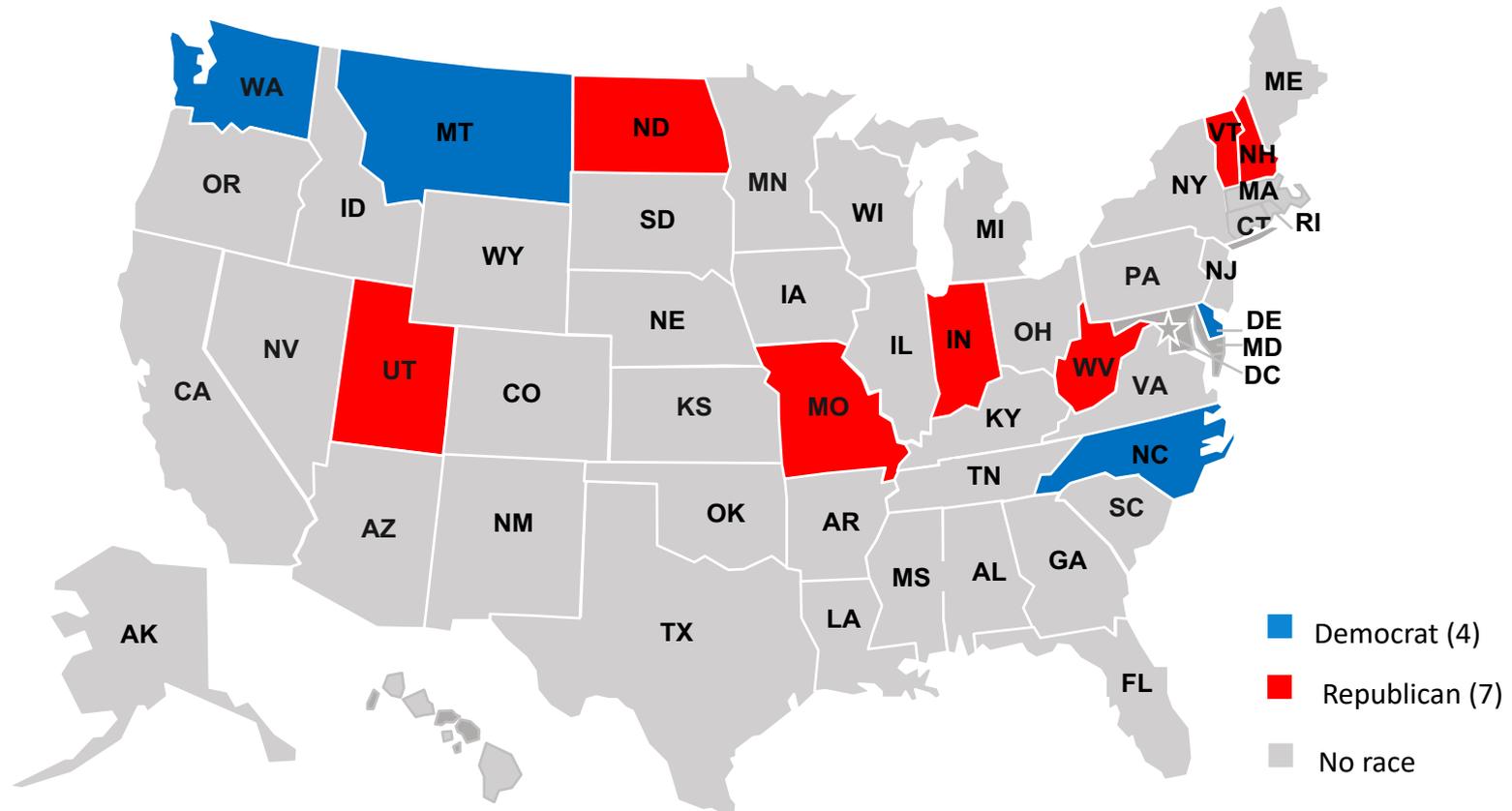
The Trend in State Capitals Shows Modest Shift Toward Republican Control

While several key races remain undecided, flips in the MT governorship and NH legislature lead to new Republican Trifectas.

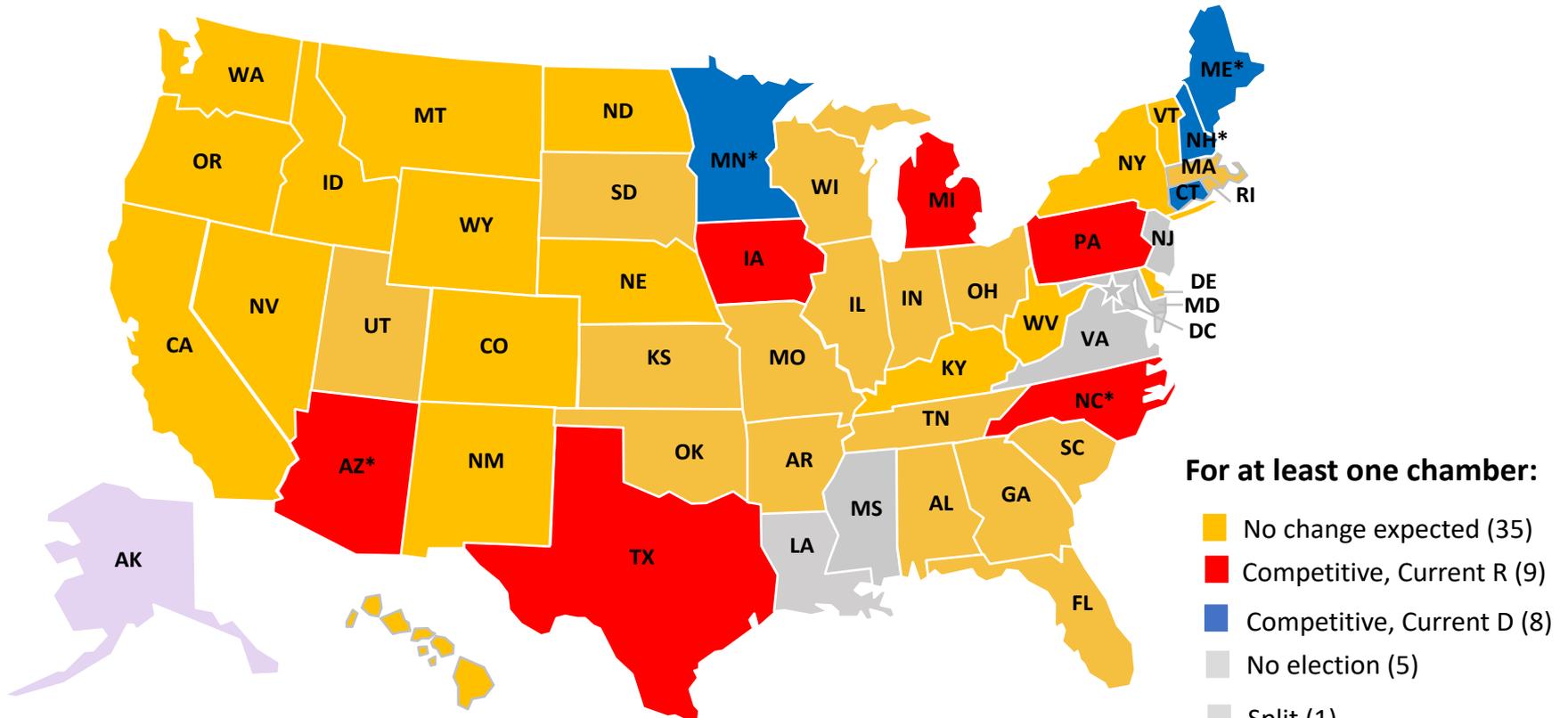


Currently, GOP Holds Governorship in 26 States, Democrats 24

A total of 11 governorship seats were up this cycle. MT was the only state without an incumbent.



Heading Into Election Day, Experts Eyed 17 Key State Chambers



* Indicates both chambers competitive

Sources: <https://www.270towin.com/2020-state-legislature-elections/state-senate> <https://www.270towin.com/2020-state-legislature-elections/state-house>

Note: For "No Change Expected" category, District of Columbia is included.

State Legislative Results: Fewer Changes than Expected

| State | 2019-2020 State Legislatures | Post-2020 Election |
|----------------|---|---|
| Alaska | Senate – (R) House – (R w/ D Speaker) | NO CHANGE |
| Arizona | Senate – (R) House – (R) | AWAITING RESULTS |
| Connecticut | Senate – (D) House – (D) | NO CHANGE |
| Iowa | Senate – (R) House – (R) | NO CHANGE |
| Kentucky | Senate – (R) House – (R) | NO CHANGE |
| Maine | Senate – (D) House – (D) | NO CHANGE |
| Michigan | House – (R) Senate not holding elections | NO CHANGE |
| Minnesota | Senate – (R) House – (D) | NO CHANGE |
| New Hampshire | Senate – (D) House – (D) | Senate – (R) House – (R) New R Trifecta |
| North Carolina | Senate – (R) House – (R) | NO CHANGE |
| Pennsylvania | Senate – (R) House – (R) | AWAITING RESULTS |
| Texas | Senate – (R) House – (R) | NO CHANGE |



Implications for State Action on Health Care

Implications:

1. Medicaid expansion is still a winning issue in state elections.
2. Stronger Federal responsibility for COVID-19 response, likelihood of federal fiscal relief to states.
 - State action will continue to focus on pandemic response
3. Risk of state budget cuts, no matter the election outcomes
 - Medicaid benefit cuts now allowed under Maintenance of Effort.
4. Possible bipartisan traction regarding maternal mortality, prescription drug pricing, surprise medical bills, justice-involved populations.

What's Next from Families USA

Webinar: What the Election Results Mean for Medicaid

- *Mid-November, registration information coming soon*

The Health Equity Task Force for Delivery and Payment Reform 2021 Federal Policy Priorities

- *Coming late November*

Messaging Guidance for Nonpartisan/Bipartisan Health Reform

- *Coming Early December*



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FAMILIES USA'S HEALTH ACTION 2021



POWER.



IMPACT.



NOW.

SAVE THE DATE
Conference, January 26–28
[Familiesusa.org/HA2021](https://familiesusa.org/HA2021)

Q&A

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