

## State Legislature Must Take Action to Protect Health Coverage

Written by Citizen Action of Wisconsin Press  
Tuesday, 09 July 2019 14:40

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<http://newiproggressive.com/images/stories/S5/healthcare2-s5.jpg>



***Wisconsinites with pre-existing conditions, marketplace health insurance, at grave risk of having coverage taken away by conservative federal judges.***

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MILWAUKEE - In a telephone news conference Tuesday morning, Citizen Action of Wisconsin and seven lawmakers called for urgent state legislative action to protect Wisconsinites from the health care chaos that would be unleashed by an adverse decision in a federal court case challenging the Affordable Care Act (ACA).

Oral arguments are being held today in federal appeals court on the case of Texas v. United States, which President Donald Trump and U.S. Attorney General William Barr are using as a vehicle for invalidating the entire ACA, including the popular protections against pre-existing condition discrimination. Under Governor Scott Walker, Wisconsin was the second plaintiff in the case until Governor Tony Evers and Attorney General Josh Kaul were able to pull out after a state court temporarily invalidated GOP lame duck restrictions on withdrawal from lawsuits.



Joining the news conference this morning were State Senator Chris Larson (D-Milwaukee), State Representative Jodi Emerson (D-Eau Claire), State Representative Amanda Stuck (D-Appleton), State Representative JoCasta Zamarripa (D-Milwaukee), State Senator Jeff Smith (D-Eau Claire), State Representative Jimmy Anderson (D-Fitchburg), and State Representative Jonathan Brostoff (D-Milwaukee).

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Listen to a recording of the entire Wisconsin news conference [here](#) .

Speakers at the news conference made the case that eventual U.S. Supreme Court action invalidating the ACA is a clear and present danger in 2020. Therefore, it is critical that state lawmakers put the law's critical consumer protection in state law by the end of the legislative session. If the ACA was struck down the following provisions would be eliminated from federal law:

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Guaranteeing coverage to individuals with pre-existing conditions, impacting an estimated 852,000 to 2.436 million Wisconsinites.

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Prohibition of price discrimination against individuals with pre-existing conditions. In Wisconsin without this protection a patient with a pregnancy could be charged \$17,060 more, and someone with metastatic cancer could be charged \$140,510 more.

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Free coverage of preventative care such as mammograms and colonoscopies for 2,804,258 Wisconsinites.

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Mental health parity.

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Prohibition of gender discrimination in coverage and pricing.

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Prohibition of age discrimination in pricing, the so-called "age tax."

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Prohibition of lifetime and annual care limits.

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Protections against junk health care plans by requiring that all essential health benefits be covered.

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Substance abuse coverage.

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Resources and funds to hold insurance companies accountable to regulation.

In addition, 153,000 Wisconsinites would have their health coverage taken away if the ACA was struck down, according to [a recent study](#) by the Urban Institute.

Citizen Action is urging lawmakers to codify the ACA's consumer protections and health insurance regulations in state law to protect Wisconsinites in the event of a damaging U.S. Supreme Court decision. Citizen Action is also urging lawmakers to create a plan, triggered by an adverse court decision striking down the ACA, to replace the marketplace plans for people who buy insurance on their own and the federal subsidies that make them more affordable.

"We can't count on Washington to be listening to us," Rep. Amanda Stuck. "We need to take action now and protect the people here in Wisconsin at the state level."



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“I have two daughters who are out of college and haven’t really hit that career job yet. So it’s really important to me that they’re able to be on our health insurance until they’re 26 years old,” said Rep. Jodi Emerson. “Having health care protections for young people as they start their career is so important. If the ACA is done away with, if this case succeeds, our young adults are really going to be at risk for not being covered because of the gig economy that’s going on and maybe having a couple of different part-time jobs. As a mother of two twenty-year-old girls, this is really important to me.”

“This shouldn’t be a partisan issue, this should be bipartisan,” said Sen. Chris Larson. “Everybody gets sick. The only people who will, frankly, be protected if this lawsuit succeeds is the health insurance industry.”

“The Republican challenge of the Affordable Care Act is cruel, it’s reckless and it will ultimately hurt our nation’s most vulnerable population,” said Rep. JoCasta Zamarripa. “When healthcare options become limited or unattainable, it’s people of color - especially women of color - like myself who are the most harmed.”

“The State Legislature has a moral obligation to protect the people of Wisconsin from harm. The federal court nullification of the ACA is a predictable human-made disaster that would reap havoc with the lives and livelihoods of hundreds of thousands of Wisconsinites,” said Robert Kraig, Executive Director, Citizen Action of Wisconsin. “We urge state lawmakers to take action to put the popular federal protections against pre-existing condition discrimination and other insurance industry abuses in state law, and beyond the reach of activist federal judges.”