

# **Health Reform Implementation: What the Heck Do We Do Now?**

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**Where Innovation Is Tradition**





# What Did our Supreme Court Do?

- Upheld the constitutionality, not the wisdom, of promising access for all
  - Wisdom, if, and how, is for politics to decide
- Struck down federal power to “coerce” states to expand Medicaid as much as PPACA does
- Left the rest of PPACA implementation to us

# And How Do We Feel About It?



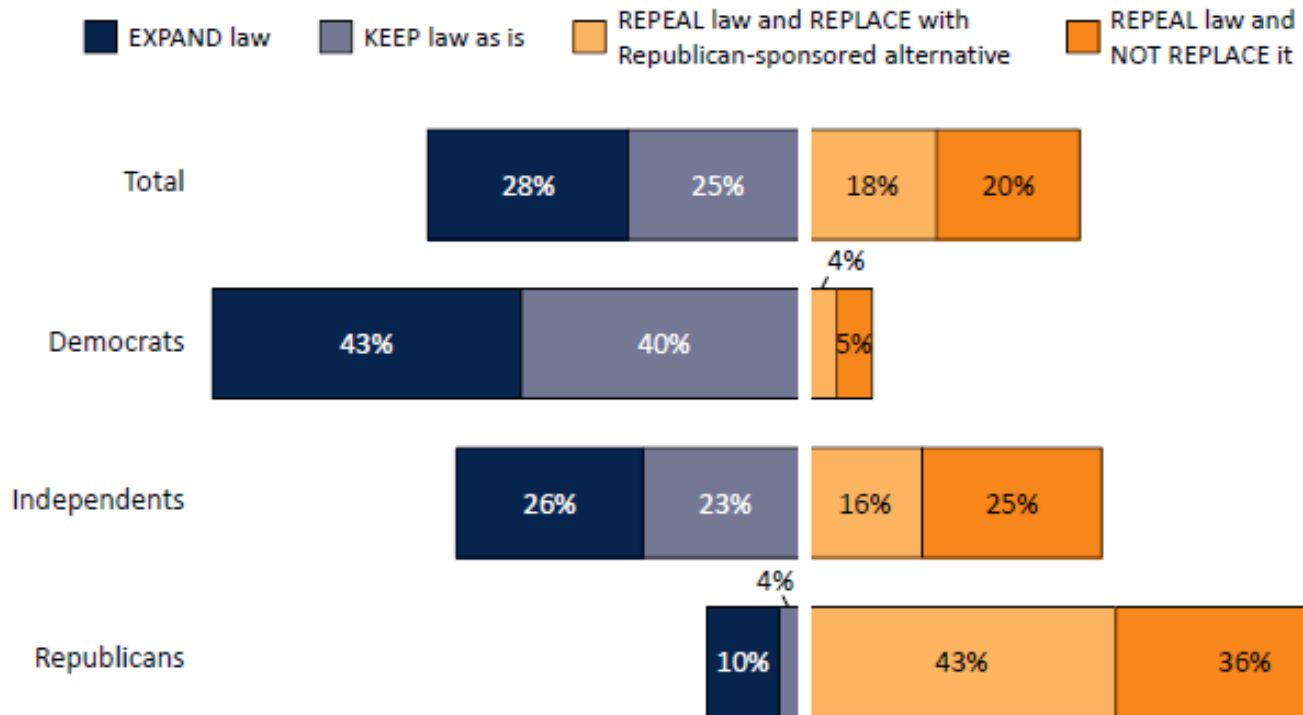


“Chief Justice Roberts squandered the opportunity to restore judicial, financial and legislative sanity to a government that by any sane person’s standards is insane and addicted to centralized federal control of our lives. Because our legislative, judicial and executive branches of government hold the 10th Amendment in contempt, I’m beginning to wonder if it would have been best had the South won the Civil War. *Our Founding Fathers’ concept of limited government is dead.*”

<http://exchangegoldforcash.com/money/u-s-government/president/2012-election/breitbart/rocker-nugent-blasts-justice-roberts-wonders-if-south-should-have-won-civil-war/>

## Partisans Disagree On Next Steps For Health Reform Law

What would you like to see Congress do when it comes to the health care law?



Note: Don't know/Refused answers not shown.

Source: Kaiser Family Foundation Health Tracking Poll: Early Reaction to Supreme Court Decision on the ACA (conducted June 28-30, 2012)

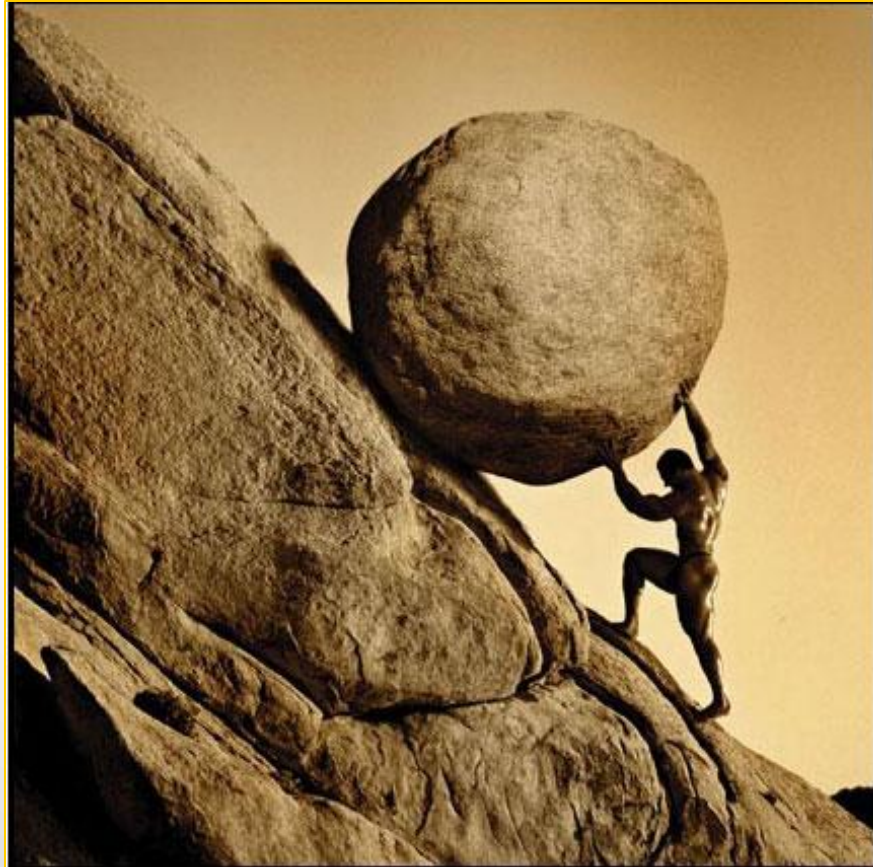


# Big Picture Options

- Hope for R election sweep → repeal + replace?
- Federal exchange, no Medicaid expansion
- State exchange, Medicaid expansion
- Something in the middle

# So What *SHOULD* WE Do?

# Reform would be hard enough...



# Why Can't We All Agree On Goals?

- Different world views
- Redistribution is necessary to ensure access
- Hard to forge agreements without requisite trust
- Hard to build trust in 24/7 attack news cycle

# What Do We NEED To Do?

- Re-learn how to listen to and hear each other
- Remember our own History

# Appomattox Court House, April 1865



# Constitutional Convention, 1787



Internet photo of work by Junius Brutus Stearns, 1856

# Remember the Constitutional Convention

- Philadelphia actions “behind closed doors”
- THEN Debated state by state, with game film
  - Much distrust of “the betters”
  - Opponents were accused of self-interest
  - Basic liberties (bill of rights) not attached
  - Was “Congress” trying to become a king?



# (Re-Building) Trust

- Acknowledge it's been lost
  - Washington agreed to be President and he chose to retire after 2 terms
  - Bill of Rights drafted and approved right away
- Listen to opponents and debate *fairly*
  - Federal power cannot be unlimited
  - Malpractice reform
  - Budget failsafe
  - More state flexibility

# So My Free Advice

- Start preparing your “state innovation waiver” memo (Section 1332) now, if you are so inclined
- Explain how you would rather meet goals and metrics of PPACA, (coverage, affordability, scope)
  - Put folks above poverty into Exchange, not Medicaid
  - Expand Medicaid in steps, not all at once
  - Allow phase-ins to Bronze
  - Lay out pathway to full state operation of Exchange
- Articulate your own goals and propose metrics