

As the 10th Anniversary of the passage of the Affordable Care Act awaits us next week, we have never been so sure that comprehensive, accessible health coverage is a must for all Americans. A human right. 2020 has proven to be a year of ups and downs right out of the gate. With the legislative session looking like a distant event, the COVID-19 pandemic has like these. At WVAHC, we realize the weight of what we represent.

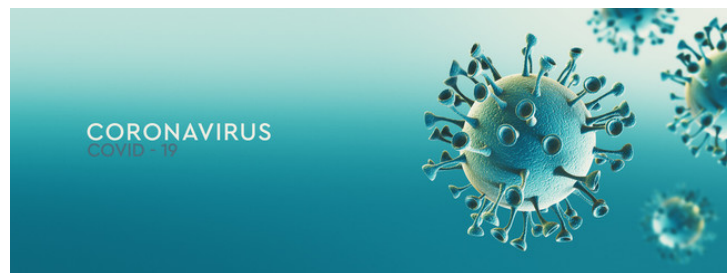
“Our mission is to bring a consumer voice to public policy so that every West Virginian has quality, affordable health care and the opportunity to lead an informed, healthy, and productive life.”

This pandemic is a calling to us all to continue to push hard for a world where we take care of our children, our parents, and our neighbors through continued advocacy for health care that is

captured the attention and concern of the global citizenry. West Virginians for Affordable Health Care wades through the waters, resolute in calling for a greater social safety net and more inclusive, affordable health care access. Rarely does a mission so clearly line out what absolutely must be done in times

accessible and affordable for all. At WVAHC, we pledge to continue putting in the work to see this through—during this health crisis and beyond.

In this issue, please see our statement on COVID-19, cancellations and event changes, as well as highlights from our work and other health care news. As this pandemic plays out, we will be working creatively to continue our efforts in attainment of our mission and goals. In the meantime, stay safe, stay healthy, and stay vigilant.



COVID-19 RESOURCES

Both the Senate and the House of Representatives passed the [Families First Act](#)--supported by President Trump--in an effort to mitigate some of the harm due to the COVID-19 crisis for negatively impacted Americans. This act will provide (among other things) extended employee sick leave benefits, expand free testing, and provide food aid to our most vulnerable friends, families, and neighbors. This is likely one of many relief bills that will be passed in the wake of the coronavirus. WVAHC will continue to send out updates related to policies meant to help those in need during this pandemic.

As we watch the COVID-19 health crisis unfold, the following sources can provide reliable, up-to-date information:

- [The Centers for Disease Control and Prevention](#)
- [The WV Department of Health and Human Resources](#)
- [The Johns Hopkins Coronavirus Resource Center](#)
- [The World Health Organization](#)
- [WV DHHR Memos](#)

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ACA Anniversary!



March 23, 2020 marks the **10th anniversary of the passage of the Affordable Care Act (ACA)**. Few states have benefited more from this expansion of health care coverage and protections than West Virginia. Because of the ACA, we were able to extend Medicaid to working adults earning up to 138% of the federal poverty level, providing insurance for over 150,000 WV workers. We watched our uninsured rate drop by more than 60%. We gained protections from insurance companies denying us coverage, dropping us, or charging us more because of pre-existing conditions. As we wade through the COVID-19 health crisis, we want to lift up the ACA and all of the benefits of that historic legislation. Now--maybe more than ever--we see just how valuable health care coverage is to each one of us. Thank you to all the elected representatives who advocated and continue to advocate for good health care policy for all West Virginians.

WVAHC Receives Grant Award from the Rx Foundation

West Virginians for Affordable Health Care will be working in partnership with the WV Center on Budget & Policy, and the WV Citizen Action Education Fund under a new grant from the Rx Foundation. The Rx Foundation funds innovative projects and people to improve healthcare quality and access in the United States.

Our Health Care for All Agenda is an opportunity to engage and mentor grassroots groups that have emerged over the last few years but are struggling to maintain momentum. Our goals are to engage and train a new cadre of health care advocates, build our existing partnerships into a permanent statewide Health Care for All coalition and develop local partners who can mobilize action across the state. Our capacity-building goals and potential activities include training new advocates, coalition-building, town halls, educational forums, canvassing, outreach, aligning communications and messaging, and creating infrastructure for citizens to consistently engage with lawmakers.

For upcoming trainings or more information contact Lisa Diehl at lisa@wvahc.org or follow our Facebook page: www.facebook.com/WVAHC

West Virginia Health Agenda 2020 – Working Together for Health Consumer Legislative Victories

Over the summer of 2019, a diverse group of consumer advocates held a series of meetings to create a common [health legislative agenda for the 2020 session](#). We agreed to coordinate our efforts to pass as many of the items on the agenda as possible and to defeat harmful health bills in the 2020 legislative session. Our multi-organization team approach led to a remarkable set of victories that we are proud to describe below. Key organizations were West Virginians for Affordable Health Care, the West Virginia Center on Budget and Policy, and Citizens Action Group (CAG). Many other organizations joined forces with us on specific bills on the Health Agenda.

We are already starting to think about the 2021 session and how to involve more organizations and people across the state. First, we are drafting a new West Virginia Health Agenda 2021 and we need your input. Second, we are going out across the state to hold community forums to discuss what health issues are most important to West Virginians. And third, we are looking for community leaders who want to work together with us. For more information email Jessie Ice at jessica@wvahc.org or visit www.healthcareforallwv.com

The good bills that passed in 2020:

Clearing the I/DD Waiver Waitlist - The FY 2021 budget sets aside \$19.8 million to clear the I/DD waiver waitlist to provide services to the 1,084 individuals currently on the waitlist.

Dental Coverage for Medicaid-enrolled Adults - [SB 648](#) provides for dental coverage to over 300,000 Medicaid-enrolled adults over 21 years old. The bill passed with overwhelming bipartisan support. [Thirty-five states](#) offer dental benefits to this population, and advocates including the WV Oral Health Coalition have been working towards this victory for several years.

Insulin Copay Caps - [HB 4543](#) passed the House with a \$25 co-pay cap, but the bill stalled in the Senate. A bipartisan group of Senators worked together to pass a compromise [HB 4543](#), which caps the maximum monthly copays at \$100 for insulin for West Virginians who have private health coverage. Advocates for insulin and prescription drug affordability are ready to fight to lower the cap, help address affordability for the uninsured, and improve affordability of all prescription drugs.

Prescription Drug Pricing Transparency – As another first step toward prescription drug affordability, [SB 689](#) requires pharmaceutical companies to justify high launch prices and price hikes.

SB 689 requires drug manufacturers and health benefit plan issuers who sell prescription drugs in West Virginia to provide cost information, changes in cost information, and prescription drug statistics to the State Auditor. The Act requires the Auditor to publish this information within 30 days of receipt on a searchable transparent website available to the public. The site also will

disclose identities of drug manufacturers and health benefit plan issuers who fail to comply with the requirements.

This information is a critical first step toward legislation that creates the authority to regulate drug prices. Our neighbors in Maryland passed a bill in 2019 to create a state Prescription Drug Affordability Board, an independent body with the authority to evaluate expensive drugs and recommend appropriate methods for addressing these costs, including setting upper limits on what Marylanders would pay for them.

And bad bills that were defeated:

Medicaid Work Reporting Requirements – HB 4018 would have taken health coverage away from adults who struggle to meet and document a set number of work hours. This policy was quickly defeated for a third year in a row. Enacting this policy in West Virginia would lead to at least [37,000](#) West Virginians losing health coverage and [hundreds of millions](#) of federal Medicaid dollars lost. These coverage losses would come despite the fact that the [majority](#) of those subject to the policy are already working. Work reporting requirements have been struck down by the courts and would drag West Virginia into long and costly litigation.

Harm Reduction Bans - SB 286 would have enacted a statewide ban on [evidence-based](#) syringe exchange programs, which are a critical aspect of harm reduction. Syringe exchange programs have been proven to [reduce the risk](#) of getting an transmitting HIV, viral hepatitis, and other bloodborne infections. The programs also give public health professionals an opening to offer educational and medical services. A [2014 study](#) found that for every dollar invested in expanding a needle exchange, \$6 would be saved in HIV treatment.

Sham Pre-existing Condition Protection Bill - SB 284, which was put forth by Attorney General Patrick Morrisey, purported to protect West Virginians with pre-existing conditions if the Affordable Care Act is struck down in the courts. Ironically, AG Morrisey has signed West Virginia onto a lawsuit is arguing that the entire ACA should fall, including pre-existing condition protections, the Medicaid expansion, and other pro-consumer provisions of the law. Speaking about the bill on the Senate floor last week, Senator Rich Lindsay likened the Attorney General's proposal to having your family home burned down, and then the arsonist offers you a tiny shack.

cont.

Working Together can't.

The ACA mandated pre-existing condition protections, free preventive services, the elimination of annual and lifetime benefit caps, and more to all West Virginians, including those covered on the individual market, Medicare and Medicaid, and employer-sponsored plans. SB 284 reflected a dangerous misunderstanding of health policy and jurisdictional issues. State lawmakers do not have the jurisdiction to govern the health coverage of most West Virginia residents. Those on Medicare, Medicaid, or large employer self-funded health plans, altogether over 1.1 million West Virginians, have their benefits governed at the federal level. If the

Attorney General's lawsuit is successful, West Virginia can do nothing to protect them.

For those who are in health plans governed at the state level, SB 284 established a separate "pool" for people with pre-existing conditions. Health insurance companies would have been able to define who must go into this pool. Once sent to this pool, West Virginians would face skimpy plans sold at higher and higher premiums

Fortunately, the bill was defeated in the House Health and Human Resources committee. The most effective thing the Attorney General could do is withdraw West Virginia from the lawsuit to strike down the Affordable Care Act. Join us by signing a [petition](#) asking Attorney General Morrisey to remove West Virginia from the lawsuit.

Upcoming Event Information

April 8, 2020
10:00 a.m.

As we prepare for the transition to Medicaid managed care insurance plans, we are combining our **Medicaid Coalition Meeting and our WV Kids' Health Partnership Meeting**. We will have representatives from DHHR and Aetna to explain this process and answer any questions you may have. Currently, Mountain Health Trust handles the majority of those who are eligible for Medicaid as it is the statewide managed care program (see more info here: [Managed Care in WV](#)). The WV Center on Budget and Policy will also join WVAHC to give updates from the recent legislative session. Please join us via zoom on **April 8th at 10am**. Zoom address: <https://zoom.us/j/738200935>

Annual Reception and Fundraiser
April 30, 2020

West Virginians for Affordable Health Care is disappointed to announce that we must postpone our **Annual Reception and Fundraiser scheduled for April 30th**. While we were looking forward to gathering friends and supporters together, we realize that public health must come first. We will be in touch about rescheduling. In the meantime, if you would like to make a contribution to aid us in our mission as we continue to advocate for accessible, affordable health care for all West Virginians, please visit <http://wvahc.org/get-involved/donate/>.

STORY COLLECTION AND EMPOWERMENT

Stories can change the hearts and minds of the public and elected representatives, medical and health care stories especially so. For the past two years West Virginians for Affordable Health Care (WVAHC) has been traveling the state of West Virginia listening to empowered community members who are willing to share their health care stories.

The early collection efforts and people's stories were compiled in December of 2018 to create a "Sharing Their Own Stories – Medicaid Success Stories: Helping West Virginians Stay Healthy, Take Care of Families, Work & Serve Our Communities" storybook.

http://www.wvtogetherformedicare.com/medicaid_2019_story_book

This book was shared with legislators, members of the public, and other health care related agencies to help spread the good news of Medicaid, its life saving health care coverage, and affordable health care.

Recently, WVAHC has been approved to *expand* its story collection efforts past just Medicaid and the Children's Health Insurance Program (CHIP) to a more all-encompassing affordable health care initiative.

Even through this public health care crisis, COVID-19, we *continue to safely and effectively* work to listen to our fellow West Virginians share their health care stories.

We are reaching out to you, the public, to help us empower others to become self-advocates, raise your voices, and collaborate in efforts to expand affordable health care programs.

The following are just a few of the policy efforts we are looking to enact with support from our story collection efforts:

- Expand Medicaid coverage to at least one year postpartum for women up to 300 percent of the Federal Poverty Level
- Create a workforce promotion program for Medicaid enrollees
- Address the high cost of prescription drugs for all West Virginia families
- Create a Medicaid Buy-In Program to increase choice and improve affordable health coverage options for West Virginians transitioning to a job without affordable health insurance
- Create a Children's Health Insurance Program (CHIP) buy-in to close children's coverage gaps
- Use settlements from Pharma Opioid lawsuits to support children in West Virginia's foster care system
 - Create a Minority Health Advisory Team to advise the Commissioner of Public Health on addressing health disparities
 - Enact Paid Family and Medical Leave for West Virginia Workers
 - Address high deductibles and high premium costs of health insurance
 - Promote Universal Health Care coverage for all

If you have a story you would like to share with us and our partners in the Health Care for All program, reach out to us at 304-702-6708 or visit our website:

<https://www.healthcareforallwv.com/contact>



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Health Care Repeal Lawsuit Threatens West Virginians

Sign Petition to Call on AG Morrisey to Withdraw from *Texas v United States*

On March 2, the U.S. Supreme Court agreed to hear the health care repeal lawsuit, *Texas v United States*, which seeks to overturn the Affordable Care Act (ACA) but declined to undertake an expedited review of the case. The high court's decision means that the ultimate fate of the ACA will be unresolved prior to the 2020 presidential election.

West Virginia Attorney General, Patrick Morrisey, made West Virginia a plaintiff to *Texas v. United States* seeking to invalidate the ACA. WVAHC calls on AG Morrisey to withdraw from the lawsuit. To join the call, sign our [petition](#).

If the Supreme Court strikes down the ACA, it will threaten care and coverage for tens of thousands of West Virginians and eliminate vital life-saving protections that benefit all of us and our families.

[162,000 West Virginians](#) – at least - would become uninsured if the ACA were repealed – a 176 percent increase in our uninsured rate, according to an analysis by the Urban Institute.

[183,000 West Virginians](#) enrolled through the Medicaid Expansion would immediately lose their Medicaid coverage.

[382,000 West Virginians](#) or 37 percent of non-elderly adults in our state have a pre-existing condition and would no longer be protected against insurance discrimination that existed before the ACA.

An [analysis](#) by the Center for American Progress found that insurers could charge up to \$4,270 more for asthma, \$5,510 for diabetes without complications, \$17,060 more for pregnancy, \$26,180 more for rheumatoid arthritis, and \$140,510 more for metastatic cancer.

[18,000 West Virginians](#) would no longer have access to tax credits that help them pay for their marketplace premiums and would have to pay on average \$765 more a month for the

[42,000 West Virginia Seniors](#) would have to pay more for prescription drugs. As of 2019, Medicare beneficiaries enrolled in Part D prescription drug plans no longer are exposed to a coverage gap, sometimes called the “donut hole”, when they fill their brand-name medications. From 2010 to 2016, these seniors saved an average of \$1,320 because the Medicare “donut hole” was closed.

[Privately Insured West Virginians](#) – including those with individual, small group, large group, and self-insured plans (in which the employer contracts administrative services to a third party) could lose key consumer protections in the ACA.

- West Virginians with private insurance could once again have to pay - a copayment or co-insurance or meet a deductible - for preventive care, including flu shots, diabetes screenings, cancer screenings, contraception, and mammograms.
- West Virginians with private insurance could again face annual and lifetime limits on benefits coverage as well as lose the protection of caps on annual out-of-pocket expenses, [practices banned by the ACA](#).
- Insurance companies would no longer be required to have cover “essential health benefits” in their private insurance plans.

Prominent legal scholars, including some who have not supported the ACA, have rightly questioned the merits of this case, and nearly every part of the health system -- physicians, hospitals, insurers and consumer advocates -- strongly oppose the lawsuit. A February Kaiser Family Foundation [poll](#) found that a clear majority of the public views the ACA favorably (55%).

Statement of West Virginians for Affordable Health Care The Coronavirus or COVID-19 Threat Never Has Universal Affordable Health Coverage and Care Been More Critical

West Virginia, the United States, and the world are facing a serious new health threat – the Coronavirus or COVID-19 pandemic. While we know this new virus can have serious or deadly symptoms, can be transmitted easily, and has a higher death rate than the flu has averaged over past years, there is still much uncertainty about this pandemic. At this time, experts have reported that older people are at higher risk of serious or deadly symptoms. In addition, people with diabetes, heart, lung or immune health issues are at higher risk of death.

As a nation, we are being called on to respond seriously to this threat. The U.S. Centers for Disease Control (CDC) is a valuable source of [reliable information about COVID-19](#). The situation is in flux and we all must take it upon ourselves to stay updated on the facts and take calm, responsible actions to protect our families and loved ones as well as our communities.

West Virginians for Affordable Health Care is dedicated to universal health care access and health care equity among all West Virginians. The Affordable Care Act and Medicaid program are critical to our state and national [response to COVID-19](#). No public health strategies can be successful if many of us are outside the health care system – whether uninsured or underinsured and unable to afford the health care they need. *Never has the necessity of universal affordable health coverage and care been more critically important to our nation.*

We are fortunate to live in state that decided to expand Medicaid coverage to more low-income adults – an option made available to states through the Affordable Care Act or ObamaCare. Further, the Affordable Care Act's premium subsidies help West Virginians who are not eligible for Medicaid afford quality private health insurance. In fact, the number of uninsured West Virginia adults (age 18 to 64) declined 29% to 9% under the Affordable Care Act – the largest decline of any state.

Now is not the time to strike down the gains made under the Affordable Care Act in the courts. Now is not the time to reduce Medicaid federal funding to the states. Rather, now is the time to continue to look forward to how we can build towards universal health care coverage.

We call on our political leaders to set aside partisanship and to take [positive action](#) to promote containment of COVID-19 and to help our West Virginia families cope with the virus' health and financial impact. While the scenarios we face change by the hour and our policy responses will also need to evolve, we believe essential policy changes include but are not limited to:

- Expansion of affordable health coverage to additional West Virginians. We call on the federal government to give the states the needed flexibility to use the Medicaid program as a key tool in confronting COVID-19. This flexibility has been [extended to the states](#) in other periods of health crisis. We also call for a special open enrollment period for the Affordable Care Act private insurance state marketplaces.
- Guarantees of free COVID-19 testing and treatment to all West Virginians using multiple policy levers and new funding streams at both the federal and state levels.
- Reimbursement policies that ensure West Virginia hospitals and other health providers adequate reimbursement for providing care to all COVID-19 patients.
- Financial supports that are paid directly to lower-income West Virginia families. We call on both state and federal government to act to ameliorate the economic harm to lower-income people that results from complying with containment measures including staying home from work. Critical is a paid family and medical leave policy for all workers.
- Additional funding to food banks, meal services and other food security programs, especially for children who will be out of school and older West Virginians who rely on congregate meal sites for seniors. We call on the federal government to end work requirements in the SNAP program.
- Regulation of COVID-19 profiteering and fraud. We call on both state and federal government to ensure that players in our health system who would seek to unfairly profit from COVID-19 be identified, regulated, and face significant penalties and/or face criminal charges. Product scams and false cures on the internet must be quickly shutdown.

Every health policy discussion – indeed every policy discussion – should be refocused through the lens of this new health threat and the critical goal of health care equity across our country.

Steps must be taken at the national level and state level to provide accurate education to the public about COVID-19. West Virginians for Affordable Health Care is dedicated to doing our part through every tool available to us to share the facts about the COVID-19 health threat and to continue our work to ensure that every West Virginian can afford the health care they need.

For more information about state and federal policy developments that will impact West Virginia families as we cope together with the impact of COVID-19, please follow our Facebook page: <https://www.facebook.com/WVAHC/>.

Membership Form

West Virginians for Affordable Health Care

Reminder... We are only as strong as your support!

Please consider how to contribute!

_____ **\$20 Concerned Citizen**

_____ **\$50 Health Booster**

_____ **\$100 Mountain Strong**

_____ **\$500 and up Health Care Champion**

_____ **Action Supporter:** Students/under-employed folks -- signup as a member and share information on issues with friends; write letters to the editor to share your concerns on health care topics, make your legislators aware of how much health care issues mean to you!

Name: _____

Street Address: _____

City: _____ State: _____

Zip: _____

Email Address: _____

(Please print clearly)

- All members receive our quarterly newsletter online
- For more information on other member benefits and on sponsorship/partnership please go to our website at <http://wvahc.org/>

Please return your membership form to:

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