

# US Senate health bill drafted in secrecy: A conspiracy against the health care of millions

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The US Senate is moving forward with its drafting of legislation to repeal and replace the Affordable Care Act (ACA) behind closed doors. Little information has been revealed about the contents of the bill being drawn up by the Senate's 13-member "working group," aside from several leaks to the media.

Senate Republicans plan to bring the legislation to a floor vote without a single committee hearing, and without a formal, open drafting session. They hope to pass the bill by an expedited reconciliation procedure, which requires only a simple majority and avoids the possibility of a filibuster by Senate Democrats.

Only a small group of senators know what is in the bill. Those being kept in the dark include not only Democrats, but Republicans who are not in the working group. An aide to one of those senators in the group told *Axios* that no draft would be released because "we aren't stupid," an apparent allusion to the draconian features contained within it, including the gutting of Medicaid and its attack on the health care of millions of poor, older and sick Americans.

The apparent plan is to send the finalized Senate bill to the Congressional Budget Office (CBO) for scoring before it is then released to the press and the public, with a goal of a vote on the Senate floor before July 4.

The House Republicans' bill, the American Health Care Act (AHCA), is deeply unpopular. Recent Public Policy Polling shows that only 24 percent of voters support the AHCA and 55 percent oppose it. Senate Republicans are well aware that a bill that bears any resemblance to the AHCA will face similar public opposition.

The secrecy surrounding the bill has been bolstered by a significant curtailing of on-camera interviews within the Capitol. According to the *Washington Post*, the prohibition of televised interviews was issued Tuesday at the point when senators were reportedly going to be informed about some of the features of the bill at a luncheon on Capitol Hill. The prohibition apparently came from the Senate Rules Committee.

At a closed-door White House lunch Tuesday with 15

Republican senators, President Trump reportedly referred to the House plan as "mean," and according to sources said he wants the Senate version to be "more generous." This seemingly bizarre statement by Trump—after praising the AHCA as "a great plan" at a White House Rose Garden celebration last month—is an indication of the perceived unpopularity of the Republicans' planned "repeal and replace" of the bill popularly known as Obamacare.

The AHCA builds on the free-market foundations of the ACA, which gives the for-profit health care industry free rein to charge as they see fit for premiums and to pull out of markets that they find unprofitable. As a former Medicare administrator in the Obama administration admitted recently about the ACA, "We elected to have a system that is completely market-based so companies get to make individual decisions."

The Senate plan, like the Republican, takes its cue from the central features of Obamacare, which cuts costs for the government and corporations while rationing and degrading health care for the vast majority of Americans.

## The gutting of Medicaid

The biggest change in the AHCA is the gutting of Medicaid, the health care program jointly administered by the federal government and the states. The CBO estimates that the AHCA would cause 23 million people to lose health insurance by 2026, mainly because the House bill would effectively end the ACA's Medicaid expansion for low-income adults.

The Senate plan reportedly maintains the AHCA's per capita cap or block granting of federal Medicaid funds, which would effectively end Medicaid as a guaranteed program based on need. It would also put an end to the expansion of Medicaid under the ACA, but would allow a longer phase-out of the expansion, possibly up to seven

years, i.e., prescribing a slow death as opposed to the House plan's quicker demise.

According to a new report by the Center on Budget and Policy Priorities (CBPP), coverage losses under the AHCA would affect people of all ages and income levels, including families with children, seniors, and people with disabilities. It would also sharply cut government subsidies for individual market coverage, and allow insurers to charge sharply higher premiums to people with preexisting conditions.

About 3 million children would lose coverage, CBPP says, increasing the uninsured rate for children by about 50 percent. Another 6.4 million young adults (age 19-29) would lose coverage, or about one in eight people in this age group. This runs counter to claims that the House bill would favor younger, healthy people.

More than 8 million people, age 30-40, would lose coverage, increasing their uninsured rate by a staggering 84 percent. About one in five of this age group would be uninsured, compared to one in 10 under current law, according to CBPP.

The uninsured rate for older adults (age 50-64) would more than double under the AHCA, reflecting the fact that the bill would allow individual market insurers to charge older people premiums five times higher than for younger people. While the Senate plan reportedly will offer some additional premium assistance to this age group, it will be inadequate to make a significant difference.

The majority of those losing coverage under the AHCA would have low incomes. Some 14.7 million adults with incomes below 200 percent of the poverty level (about \$50,000 for a family of four) would become uninsured. But 5.1 million adults with incomes above 200 percent of the poverty level would also lose coverage.

## Preexisting conditions

While Trump has claimed that people with preexisting conditions would be "taken care of" under any final Republican health care bill, this is not the case. The Senate bill, unlike the AHCA, would not allow states to obtain waivers to deny coverage to people with preexisting conditions. However, it would maintain the AHCA provision allowing states to waive coverage of essential health benefits.

Topher Spiro, vice president for health policy at the Center for American Progress, writes in the *Washington Post* that maintaining the waivers for essential benefits will have the

effect of denying coverage for people with preexisting conditions.

Allowing states to ditch coverage of essential services such as hospitalization, and emergency care, maternity care, substance abuse treatment, mental health care and prescriptions drugs would also allow waivers of the ACA's ban on lifetime and annual limits on coverage related to the essential health benefits.

Also, Spiro notes, if insurers cannot markup premiums for people with preexisting conditions, they could alter their benefits packages to screen out sick people by excluding the benefits they need. The list of possible benefits they could drop from coverage is vast, including treatments for cancer, diabetes and heart conditions. Simply being a woman puts a person at a disadvantage, as prenatal and maternity care, contraception and abortion services could be excluded.

According to the CBO, about 19 million people are enrolled in the individual market nationwide, and about half of them live in states that would seek essential benefits waivers. As about 55 percent of individual market enrollees have a preexisting condition, this means about 5.3 million people with preexisting conditions could see their coverage severely deteriorate and their premiums skyrocket.

While congressional Democrats have made some noise about the secrecy surrounding the Senate deliberations on the health care bill, there has been virtually no comment on the reactionary content of the legislation.

As their attention is focused on the Trump-Russia connection and investigation of the president on obstruction of justice, there is general disinterest by politicians of both big business parties in legislation that will eviscerate Medicaid and leave 23 million more people uninsured and at the mercy of the health care giants and their profits, leading to unnecessary suffering and increased deaths.

Jacob Leibenluft of CBPP commented in an interview in the *Post* on the lack of congressional hearings and coverage in the media on the Senate bill, "I hate to think that looking back on this period, we'll realize that the most regressive piece of social legislation in modern American history was passed, and no one was paying attention."



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