



American Health Care Act passes the House, faces uphill battle in Senate

After months of hand wringing and arm twisting, the GOP goal of repealing and replacing the Affordable Care Act (ACA) passed its first legislative test today in the House of Representatives. The American Health Care Act (AHCA) was narrowly approved by the House today in a vote of 217-213. The bill received no democratic support.

This vote comes 41 days after the bill was pulled from the floor on March 24 when the GOP realized they didn't have enough votes for the bill to pass. Since then there have been two amendments to the AHCA that flipped enough votes to result in passage today.

The MacArthur Amendment

The first amendment was the MacArthur amendment. This amendment reinstated essential health benefits as the federal standard as well as other main provisions of the ACA; however, it created a limited waiver option for the states. The waiver option would allow states to seek limited waivers for essential health benefits and community rating rules under certain circumstances. In order to obtain a limited waiver, the state would have to attest that the purpose of their requested waiver is to reduce premium costs, increase the number of persons with healthcare coverage or advance another benefit to the public.

The MacArthur amendment made some moderates in the GOP uneasy because of the possibility that protection for pre-existing conditions could be impacted in states that obtained a waiver and had a high-risk pool. In order to convince some of those moderates to flip from a no to a yes vote, the GOP passed a final amendment to the bill, the Upton Amendment.

The Upton Amendment

The Upton amendment dedicates an extra \$8 Billion to reduce premiums and other out-of-pocket costs for patients in the individual market with pre-existing conditions who do not maintain continuous coverage and who live in states that receive a waiver to redesign their insurance market. This additional money focused on helping people with pre-existing conditions was enough to get the GOP to the magic number of at least 216 votes to pass the bill.

Moving Forward

The AHCA faces an uphill battle in the Senate with challenges from multiple fronts. One challenge is a very tedious legislative requirement called the Byrd Rule that must be followed in order to pass the bill via budget reconciliation. This may require some changes to the bill. Another challenge will come from some of the more moderate GOP senators who may not be comfortable with parts of the bill as currently written.

To learn more about the AHCA and the details of the amendments please [click here](#).

Written by Greg Stancil

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