

**Northwest Health Law Advocates
CLE – September 29, 2010
National Health Reform: Upcoming Changes for Washington Consumers**

-- DETAILED AGENDA --

Subject	Faculty	Total session minutes
<p>Overview of ACA and Reconciliation Act, timeline for implementation</p> <ol style="list-style-type: none"> 1. Purpose of CLE 2. Background of health reform 3. Goals of the law 4. Major pieces of law as they affect individuals <ol style="list-style-type: none"> a. Some people in exchanges b. Some people in employer coverage c. Some people on public programs d. Some overlaps e. Some still uninsured – by choice or by exclusion (immigrants) 5. Timeline for implementation 6. Uniform elements vs. state options 7. Unknowns: appropriations needed; regulations/guidance needed 8. Popular lack of awareness of law, misconceptions (surveys, media) – seniors, others 9. How will this benefit society – not just individual groups. 	<p>Professor Sallie Sanford, UW Law School</p>	<p>8:30am – 9:15am</p>
<p>Changes in the Individual Market and the New High-Risk Pool: Advising clients on insurance offerings</p> <ol style="list-style-type: none"> 1. Changes in effect/imminent and issues for advising clients (include when don't apply - grandfathered plans – when they become non-grandfathered; plan year changes) – in context of existing WA law <ol style="list-style-type: none"> a. dependent coverage –under 26 (compare to existing state law) b. insurance reforms including Medical Loss Ratio requirements c. preventive services (first-dollar coverage) d. Pre-Existing Condition Insurance Pool compared to WSHIP (potential for subsidies in PCIP) e. Washington Health Program (not fed reform) 2. Upcoming changes <ol style="list-style-type: none"> a. 2012-13 changes b. Exchanges – what they are, existing law and guidance; issues for comment; state options; issues in Washington <ol style="list-style-type: none"> i. No medical underwriting, lifetime or annual limits; required Medical Loss Ratio limits, transparency ii. Age rating still permitted iii. Essential benefits iv. Cost-sharing levels/affordability v. Populations not allowed to participate in 	<p>Barbara Flye, Office of the Insurance Commissioner</p>	<p>9:15am – 10:00am</p>

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<p style="text-align: center;">Exchanges</p> <ol style="list-style-type: none"> 3. State SHIBA/OIC consumer assistance resources 4. Issues for advising Washington residents on current insurance options 	<p>Janet Varon, JD, Northwest Health Law Advocates; Sean Corry, Sprague Israel Giles</p>	<p>10:00am – 10:15am</p>
BREAK		<p>10:15am – 10:30am</p>
<p>The Small Group Market in Washington; the new Health Insurance Pool (HIP) and other opportunities</p> <ol style="list-style-type: none"> 1. Defining a small group and distinguish from large group. Size of small group varies according to provision. 2. Changes in effect and imminent changes <ol style="list-style-type: none"> a. Insurance reforms discussed by Barb Flye – which/how they apply to small groups (grandfathering and any other differences) b. Small employer tax credit – incentive for some small employers to offer coverage to employees c. Washington Health Insurance Pool for small employers about to open (note different definition for small employer), size 1-50 employees d. Reinsurance for early retirees (age 55-64) – applies to small as well as large employers 3. Future changes <ol style="list-style-type: none"> a. Employer mandate requiring offer of coverage or payment of \$2000 (or \$3000 for employees receiving subsidies) does not apply to small employers with less than 50 FTE employees; and in a larger business, does not apply to first 30 workers b. Small businesses up to 100 can participate in exchanges (state may increase size in 2017) 4. Options for individuals employed by small businesses – now and in the future <ol style="list-style-type: none"> a. When employees can go individually into exchange 	<p>Sean Corry, Sprague Israel Giles</p>	<p>10:30am – 11:30am</p>
<p>CLASS Act: Community long-term care insurance</p> <ol style="list-style-type: none"> 1. Terms for purchasing CLASS insurance 2. Waiting period 3. Benefits and limitations of CLASS coverage; not a substitute for LTC insurance 	<p>Sean Bleck, Isenhour & Bleck</p>	<p>11:30am - noon</p>
LUNCH (on your own)		<p>Noon – 1:00pm</p>

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<p>Medicare Changes</p> <ol style="list-style-type: none"> 1. Donut hole closure 2. Part D improvements <ol style="list-style-type: none"> a. Expanded low-income subsidies b. Opportunity to change mid-year c. Other improvements 3. No cost-sharing for prevention, annual checkups starting 2011 4. Changes in Medicare Advantage 5. Options for people in 2-year Medicare waiting period (include PCIP-WA) 6. Tax increases for individuals: Medicare Part A and dividend/unearned income (both are only for individuals with income over \$200K/ couples with over \$250K) 	<p>John Hammarlund, Regional Administrator, CMS</p>	<p>1:00pm – 1:30pm</p>
<p>Expansion and Restructuring of subsidized medical programs: Medicaid, CHIP, Basic Health and Disability Lifeline; Individual Tax Credits for use in the Exchange</p> <ol style="list-style-type: none"> 1. Existing state subsidized programs 2. 2010 Pending Washington State Medicaid waiver for limited early expansion (BH and DL) 3. 2014 Medicaid expansion <ol style="list-style-type: none"> a. Eligibility: categorical, income (MAGI/tax return), elimination of asset limits b. Coverage levels c. Enrollment simplification 4. Basic Health Option to 200% FPL 5. Individual Tax Credits – income up to 400% FPL 6. CHIP maintenance of effort – changes for children (Apple Health) 7. Access improvements 	<p>Janet Varon, Northwest Health Law Advocates</p>	<p>1:30pm – 2:15pm</p>
<p>Medicaid Long-Term Services and Support provisions</p> <ol style="list-style-type: none"> 1. Attendant services option 2. Home- and community-based services benefit improvements 3. Money Follows the Person demo – reduced institutional stay requirement 4. Spousal impoverishment protections expanded – any change to Washington law? 	<p>Amy Freeman, Columbia Legal Services</p>	<p>2:15pm – 2:35pm</p>
<p>BREAK</p>		<p>2:35pm – 2:50pm</p>

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<p>Consumer Rights and Responsibilities under the ACA</p> <ol style="list-style-type: none"> 1. Requirement to maintain individual coverage (exemptions, financial hardship, phase-in); reporting requirement 2. Appeals (compare with existing PBR) 3. Nondiscrimination 4. Mental Health Parity 5. Reproductive Health 6. Health disparities 7. State Consumer Assistance program 8. Interpreter services 9. Billing/charity care changes 10. Patient protection, including protections for American Indians and Alaska Natives 	<p>Lori Buchsbaum, Northwest Health Law Advocates</p>	<p>2:50pm – 3:30pm</p>
<p>Update on pending legal challenges to the ACA</p> <ol style="list-style-type: none"> 1. Constitutional challenges: claims, jurisdictional and procedural issues, timelines 2. State nullification laws and ballot initiatives 	<p>Prof. Sallie Sanford</p>	<p>3:30pm – 4:00pm</p>