



# Health Care Reform in Indian Country

Self-Governance Communication & Education

Self-Governance Tribes Striving Towards Excellence in Health Care

## Current Understanding of --

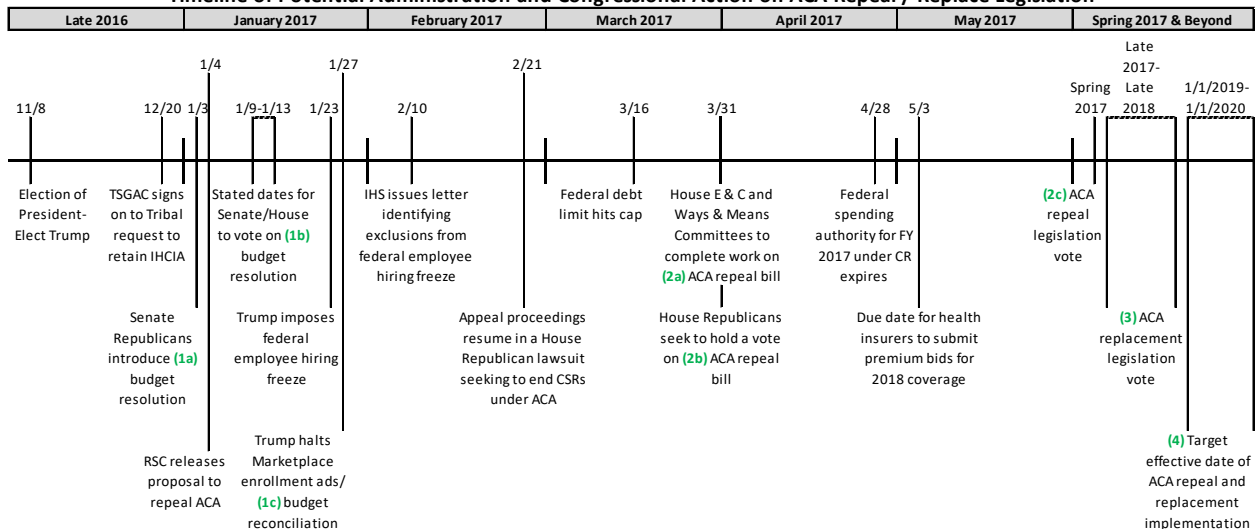
### Timeline of Potential Administration and Congressional Action on ACA Repeal / Replace Legislation; Other Key Dates; and Activities of Tribes<sup>1</sup>

As of: February 13, 2017

This brief provides a timeline on potential / completed congressional, Trump Administration, and Tribal organization actions regarding repealing and replacing the Affordable Care Act (ACA). *Activities and dates are updated according to on-going press reports.*

Congressional / Administration actions appear in black; Tribal organization actions appear in red.

Timeline of Potential Administration and Congressional Action on ACA Repeal / Replace Legislation



Date	Administration / Congressional Action	Tribal Action
11/8/2016	<p>Donald Trump elected President; lead health care policy priority is to: "Repeal and replace Obamacare with Health Savings Accounts (HSAs)" and "maximize flexibility for states via block grants ..." (Trump Web site as of 1/7/2017, see <a href="https://www.donaldjtrump.com/policies/health-care/">https://www.donaldjtrump.com/policies/health-care/</a>)</p> <p>See related TSGAC memo titled "Affordable Care Act and IHClA in 2017; Trump, Ryan and Price Health Insurance Approaches; State of Indiana Medicaid Expansion Plan" at <a href="http://www.tribalseifgov.org/wp-content/uploads/2016/12/TSGAC-memo-2017-ACA-IHClA-Trump-Ryan-Price-Health-Care-Plans-2016-12-04b.pdf">http://www.tribalseifgov.org/wp-content/uploads/2016/12/TSGAC-memo-2017-ACA-IHClA-Trump-Ryan-Price-Health-Care-Plans-2016-12-04b.pdf</a>.</p>	

<sup>1</sup> This brief is for informational purposes only and is not intended as legal advice. For questions on this brief, please contact Doneg McDonough, TSGAC Technical Advisor, at [DonegMCD@Outlook.com](mailto:DonegMCD@Outlook.com).

12/20/2016	<p><b>TSGAC signs on to Tribal organization letter to Congress requesting preservation of the Indian Healthcare Improvement Act, Indian-specific provisions under Medicaid, and other health-related provisions “unrelated to the overall healthcare reform legislation.”</b></p> <p>The letter is available at <a href="https://www.tribalsef.gov/wp-content/uploads/2017/01/Tribal-organization-IHCIA-Support-Letter.pdf">https://www.tribalsef.gov/wp-content/uploads/2017/01/Tribal-organization-IHCIA-Support-Letter.pdf</a>.</p>
1/3/2017	<p>Senate Republicans <b>(1a)</b> introduce a budget resolution (S. Con. Res. 3). Four Congressional committees <b>(1b)</b> to draft “reconciliation instructions” by 1/27/2017 that will include provisions to repeal parts of ACA. S. Con. Res. 3 is available at <a href="https://www.congress.gov/bill/115th-congress/senate-concurrent-resolution/3">https://www.congress.gov/bill/115th-congress/senate-concurrent-resolution/3</a>. See related CRS memo titled “The Budget Reconciliation Process: Timing of Legislative Action” at <a href="https://fas.org/sgp/crs/misc/RL30458.pdf">https://fas.org/sgp/crs/misc/RL30458.pdf</a>.</p>
1/4/2017	<p>The Republican Study Committee releases a proposal to repeal ACA by 1/1/2018, with no timeline set for a replacement. The Republican Study Committee proposal is available at <a href="http://rsc.walker.house.gov/#AHCRA">http://rsc.walker.house.gov/#AHCRA</a>.</p>
1/9/2017-1/13/2017	<ul style="list-style-type: none"> <li>• Stated dates for the Senate to vote on the budget resolution.</li> <li>• Stated dates for the House to vote on the (Senate version of) budget resolution.</li> </ul>
1/23/2017	<p>Trump issues presidential memorandum that ordered an immediate freeze on the hiring of all federal civilian employees, except in certain circumstances. The memo is available at <a href="https://www.whitehouse.gov/the-press-office/2017/01/23/presidential-memorandum-regarding-hiring-freeze">https://www.whitehouse.gov/the-press-office/2017/01/23/presidential-memorandum-regarding-hiring-freeze</a>.</p>
1/27/2017	<p><b>TSGAC submits letter to acting HHS secretary and acting IHS director in support of an exemption from the federal employee hiring freeze for certain staff and contracted positions at the IHS.</b> The letter is available at <a href="http://www.tribalsef.gov/wp-content/uploads/2017/01/2017.01.27-TSGAC-Request-Exemption-from-Hiring-Freeze-for-IHS.pdf">http://www.tribalsef.gov/wp-content/uploads/2017/01/2017.01.27-TSGAC-Request-Exemption-from-Hiring-Freeze-for-IHS.pdf</a>.</p>
1/27/2017	<ul style="list-style-type: none"> <li>• Trump halts federally-sponsored advertising and outreach aimed at encouraging enrollment in Marketplace coverage.</li> <li>• <b>(1c)</b> Senate and House “reconciliation instructions” are due from committees under S. Con. Res. 3. Date is likely to slip (possibly to early March).</li> </ul>
2/10/2017	<p>IHS issues a Dear Tribal Leader Letter indicating that agency “positions involved in direct patient care and a number of ancillary mission critical support positions without which patient care providers and facilities could not function are now exempt” from the federal employee hiring freeze. The letter is available at: <a href="https://www.ihs.gov/newsroom/includes/themes/newihstheme/display_objects/documents/2017_Letters/D_TLL_UIOLL-HiringFreeze_02102017.pdf">https://www.ihs.gov/newsroom/includes/themes/newihstheme/display_objects/documents/2017_Letters/D_TLL_UIOLL-HiringFreeze_02102017.pdf</a>.</p>
2/21/2017	<p>Appeal proceedings will resume in a House Republican lawsuit seeking to end cost-sharing reductions under ACA.</p> <p><b>[See TSGAC memo on TSG website” “Republicans Take Steps to...”</b></p> <p><a href="http://www.tribalsef.gov/wp-content/uploads/2017/01/TSGAC-Status-of-CSR-Payments-2017-1-6a.pdf">http://www.tribalsef.gov/wp-content/uploads/2017/01/TSGAC-Status-of-CSR-Payments-2017-1-6a.pdf</a></p>
3/16/2017	<p>Federal debt limit hits cap; additional borrowing authority needed to prevent inability to make payments on government obligations.</p>
3/31/2017	<ul style="list-style-type: none"> <li>• As part of “budget reconciliation process,” <b>(2a)</b> House Energy &amp; Commerce and Ways &amp; Means Committees plan to complete work on ACA repeal legislation by the end of March 2017. Legislation likely will not fully repeal ACA but anticipated to eliminate many major provisions, including Medicaid expansion, premium tax credits, individual/employer mandates, and financing provisions.</li> <li>• <u>House Republicans</u> seek to <b>(2b)</b> hold a vote on ACA repeal legislation ([XXX] Reconciliation Act) by 3/31/2017.</li> </ul>
4/28/2017	<p>Federal spending authority for FY2017 under continuing resolution expires; extension of spending authority needed to prevent government shut down.</p>

Spring 2017	<p>ACA repeal legislation ([XXX] Reconciliation Act) to be voted on.</p> <ul style="list-style-type: none"> <li>• The <u>Senate</u> is expected to <b>(2c)</b> consider ACA repeal legislation, either through the committee process or a direct floor vote.</li> <li>• Once passed in the Senate, the House and Senate would work to resolve any differences in the ACA repeal legislation and approve a final bill.</li> <li>• President Trump is expected to sign the ACA repeal legislation into law, although there are differences in opinion on whether “replace” legislation should be enacted simultaneously with “repeal”.</li> </ul>
5/3/2017	<p>Due date for health insurers to submit premium bids for 2018 coverage. Date could be delayed.</p>
Late 2017 – late 2018	<p>ACA replacement legislation voted on.</p> <ul style="list-style-type: none"> <li>• <b>(3)</b> Congressional Republicans plan to develop ACA replacement legislation, either at the time of “repeal” (which would delay the “repeal” vote); within 2017 but after repeal; and possibly after the midterm elections (11/2018).</li> </ul>
1/1/2019 – 1/1/2020	<p>Target effective date of <b>(4)</b> ACA repeal and replacement implementation.</p> <ul style="list-style-type: none"> <li>• Potential date ranges Congressional Republicans have indicated that they might establish for the completion of the transition from the ACA to a replacement.</li> </ul>