



UTAH'S STRATEGY

Prepared for the National Conference of State Legislators

“States Opting-Out:

Health Reform Challenges, Waivers and Alternatives”

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Utah's Approach

1. Create a system to track state and federal health reform efforts.
2. Pick your battles
3. Fight for your state's principles
(Implement your state's strategy)

Create a system to track state and federal reform efforts

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Utah's Legislative Oversight

1. U.C.A. 63M-1-2505 "Reporting on federal health reform – prohibition of individual mandate." Requires executive branch reporting to the Legislature.
2. Executive Appropriations. Provides oversight for federal grants and for Medicaid plan changes.
3. Coordination with Executive Branch. Executive branch holds weekly cabinet level meetings to coordinate the executive branch's response to federal health care reform and invites Legislative staff to participate.

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Pick Your Battles

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Utah's Focus

1. State vs. federal implementation of the premium subsidy
2. State vs. federal implementation of the individual mandate
3. Qualified Health plans and the essential benefits package
4. National vs. state risk adjuster model.
5. Medicaid expansion

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Fight for State Principles (Implement your strategy)

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Utah's Strategy

1. Join the multi-state lawsuit to challenge the federal Affordable Care Act.
2. Continue to implement Utah reform for Utah problems through the Defined Contribution Model.
3. Develop a unified voice from the states to the federal government demanding state flexibility.
4. Continue to monitor federal reform.

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Why States Matter

“This is a profoundly important time for the states....States need to lead.”

Michael O. Leavitt speaking to the National Governors Association, Wall Street Journal, 7/16/2011

“Mr. Leavitt urged them to get moving anyway. If all 50 states move forward, they will compel the federal Department of Health and Human Services to give them the flexibility to tailor their exchanges to their state needs. If only 20 move forward, the other 30 will “give license” to HHS to be inflexible in designing regulations governing the exchanges.”

Wall Street Journal, 7/16/2011, reporting on Michael O. Leavitt’s comments to the National Governors Association