Repealing the Affordable Care Act: What's at Stake in Colorado?

	Feature	What Did the ACA Do?	What's at Stake in Colorado?
Coverage	**Health insurance marketplaces**	Created online marketplaces to purchase individual insurance. Created subsidies to reduce the cost of health insurance and health care for people with lower incomes, and designated marketplaces as the only place subsidies are available. Established classifications of bronze, silver, gold, and platinum plans, which allow for comparison shopping. Marketplaces are sometimes referred to as "the exchange."	Some 181,000 Coloradans bought insurance for 2020 through the state marketplace, Connect for Health Colorado. In the absence of an online marketplace, those customers would need to seek health insurance coverage directly from insurers or brokers. And without the subsidies offered through the marketplace, high costs would keep many from securing new coverage.
	Medicaid eligibility expansion and funding	Expanded Medicaid eligibility to all people earning at or below 138% of the federal poverty level. States choose whether to opt into this expanded coverage. Guarantees that the federal government pay states at least 90% of the cost of coverage for those enrolled through this optional expansion.	In 2020, some 460,000 parents and adults without dependent children received coverage because of this expansion in eligibility. These "newly eligible" adults account for one in every three Coloradans enrolled in Medicaid. In the case of repeal, they would no longer be covered. Between loss of Medicaid dollars and marketplace subsidies, federal funding for Colorado health care would decrease by an estimated 47%, from $6.3 billion to $3.3 billion — one of the largest reductions in funding in the nation. Such a loss of funds would be devastating to Colorado's health care system. The state does not have the money to make up the difference, and so the expanded coverage and level of financial assistance made possible by the ACA would be nearly impossible to sustain.
	Coverage for young adults	Guarantees that young people can stay on their parents' health insurance plans until age 26.	If the ACA were repealed, young Coloradans could remain on their parents' plans. In Colorado, plans that offer coverage for dependent children must provide coverage until the child is 26, regardless of their financial independence, marital status, employment status, or whether they live at home.
	Employer-sponsored insurance	Requires large employers to offer health coverage to their employees that meets specified standards or face a fine. Coverage must be affordable, meaning employees pay no more than about 10% of their household income. And large employers must offer a plan that covers, on average, at least 60% of the cost of covered services.	Many Coloradans' employer-sponsored health insurance could become more expensive and/or less robust, as large employers would no longer be responsible for meeting standards set out by the ACA. Additionally, a small percentage of large employers would likely stop offering coverage altogether. (Under the ACA, the proportion of large employers providing health insurance in Colorado rose from 92.5% in 2013 to 97.8% in 2019.)
Affordability	**Subsidies**	Provides two types of financial assistance to eligible individuals buying insurance on the exchange: • *Premium tax credits.* Households earning between 139% and 400% of the federal poverty level are eligible for federal subsidies known as premium tax credits, which reduce the cost of their monthly premiums. Credits are higher in areas with higher insurance prices. • *Cost-sharing reductions.* Households earning between 139% and 250% of the federal poverty level may also be eligible for subsidies that reduce out-of-pocket costs, known as "cost-sharing reductions." They must purchase a silver plan on the exchange to be eligible. In 2017, under the Trump administration, the federal government stopped reimbursing insurers for cost-sharing reductions. They are still available for eligible households, but they are now paid for by insurers.	In 2019, three in four Coloradans insured through the state marketplace — 131,000 people — qualified for some type of financial assistance. In the absence of the ACA, coverage and health care expenses would become unaffordable for many of these people. Those currently receiving tax credits would need to pay an average of $369 more for their premiums each month, based on 2020 data. In total, Coloradans could stand to lose in the ballpark of $700 million in federal tax credits annually, based on 2019 data. And those who also qualify for cost-sharing reductions would face higher out-of-pocket costs, such as deductibles, copayments, and coinsurance.
	Annual and lifetime limits	Prohibits insurers from capping the expenses they will cover for a patient in a given year or over the patient's lifetime.	If annual or lifetime limits were no longer prohibited, many patients would be responsible for paying for all of their health care expenses out of pocket after their bills climbed past a certain amount. Prior to the ACA, such limits were common — an estimated 1.9 million Coloradans were subject to lifetime limits before the law was passed. If the ACA were repealed, more patients who require expensive care, such as cancer treatment, would be forced to go into debt or declare bankruptcy in order to access the care they need. Colorado's medical bankruptcy filings dropped from some 104,000 people in 2013 (prior to ACA implementation) to 36,000 people in 2019. A full repeal would likely reverse that progress.
Consumer Protections	**Essential health benefits**	Requires all individual and small group health plans to offer 10 essential health benefits, including behavioral health care, pediatric services, prescription drugs, and preventive care.	Colorado state law requires individual and small group plans to cover the 10 essential health benefits required by the ACA. If the ACA were repealed, state law would uphold the requirement that insurers cover these benefits.
	Protections for pre-existing conditions	Protects people with pre-existing conditions on several fronts: • *Guaranteed issue* bans insurers from denying coverage to people with pre-existing medical conditions. • *Prohibition of pre-existing condition exclusions* requires insurers to cover services needed to treat a pre-existing condition. • *Prohibition of price discrimination based on health status* bans insurers from charging higher rates to people with pre-existing conditions.	Colorado state law protects people with pre-existing conditions. Like the ACA, Colorado law codifies guaranteed issue, prohibits pre-existing condition exclusions, and prohibits price discrimination based on health status. In 2019, an estimated 22% of Coloradans under age 65 — some 789,000 people — had a pre-existing condition. And if a COVID-19 diagnosis were to be deemed a pre-existing condition, that number would be much higher. If the ACA were to fall, state law would protect these Coloradans from being denied coverage or charged higher rates because of their medical histories.
	Age-based pricing	Limits insurers to charging older adults no more than three times the price charged to a young adult.	Like the ACA, Colorado law allows plans to adjust their premiums based on age but prohibits plans from charging older adults more than three times as much as younger adults.
	Contraception coverage	Requires plans to cover contraceptive methods and counseling for all women, as prescribed by a health care provider, without charging a copayment or coinsurance. The Supreme Court has ruled that employers that have religious or moral objections to contraceptives are exempt from this requirement.	Colorado state law requires that contraception be covered but does not stipulate that it be free from copayments or coinsurance. If the ACA were repealed, out-of-pocket costs could present a significant obstacle to many Coloradans trying to access the contraception they need.

CHI staff contributing to this analysis: Julia Char Gilbert (lead author) • Kristi Arellano • Jeff Bontrager • Brian Clark • Joe Hanel • Allie Morgan • Kimberly Phu