

Publications

View from Groom: Outlook for Republican ACA Repeal and Replace Efforts

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A primary goal of Congressional Republicans and the Trump Administration has been to repeal and replace key portions of the Affordable Care Act (“ACA”). To that end, President Trump signed an Executive Order on the evening of his inauguration entitled “Minimizing the Economic Burden of the Patient Protection and Affordable Care Act Pending Repeal.” Meanwhile, since the November elections, Congressional Republicans have worked to develop a consensus on a legislative and regulatory strategy to roll back and replace the ACA.

To that end, House Republicans introduced the American Health Care Act (“AHCA”), a budget reconciliation bill to repeal and replace the ACA. However, on March 24, House Speaker Paul Ryan (R-WI) pulled the bill from the floor just before the scheduled vote after it became clear that it did not have the votes to pass. Since then, the White House and Congressional leaders have continued to meet with members of the conservative Freedom Caucus and moderates who opposed the AHCA to work on possible refinements that could garner the necessary votes to pass the bill. Congress has now adjourned for a 2-week recess, and it is not clear at this time when or if the House will consider an amended version of AHCA.

Because any legislative efforts to repeal and replace the ACA are likely to begin with the AHCA, we provide an overview of its major provisions in the article, up through recent amendments made prior to the current recess. We also describe the administrative actions the Trump Administration has taken to date to ease the transition from the ACA to a Republican replacement.