



Undermining His Legacy

States Are Critical Of Obama's Political ObamaCare "Fix"

LAST WEEK, FACING MOUNTING CRITICISM, OBAMA PROPOSED A WIDELY PANNED FIX FOR OBAMACARE

Last Week, Obama Unveiled A So-Called Fix For People Losing Their Health Plans Due To ObamaCare – The Plan Was “Widely Panned.” “President Barack Obama’s announcement of a proposed fix to people losing their health insurance plans under the Affordable Care Act was widely panned by the editorial boards of the nation’s biggest newspapers, with even the usually supportive New York Times saying it raises ‘troubling questions.’” (Tal Kopan, “Editorial Pages Pan President Obama’s Plan,” [Politico](#), 11/15/13)

USA Today Editorial: “The President's Plan Is Less A Solution Than It Is A Punt.” “But political necessity doesn't guarantee good policy, and the president's plan is less a solution than it is a punt. Obama announced that the administration would allow canceled plans to be renewed for at least a year, which will probably ease the complaints of more than 4 million people in the individual market who've received cancellation notices since the ObamaCare online marketplaces opened on Oct. 1. But there will be a dangerous rebound effect.” (Editorial, “Obama Prescribes Ugly Fix For ObamaCare,” [USA Today](#), 11/15/13)

- **USA Today Editorial: “The Other Big Problem With Obama's Plan Is That A Lot Of People Still Might Not Be Able To Keep Policies They Like. Insurers Don't Have To Renew The Expiring Policies, And State Insurance Commissions Don't Have To Approve Them.”** (Editorial, “Obama Prescribes Ugly Fix For ObamaCare,” [USA Today](#), 11/15/13)

Obama's One-Year Extension Undermines The “Central Goal Of The Law.” “But it also invited unintended consequences, showing how easily the law's complicated framework can start to come loose. (Ricardo Alonso-Zaldivar, “Obama Struggles To Save His Cherished Health Law,” [The Associated Press](#), 11/16/13)

Insurance Commissioners Are Warning That The Fix Will Fracture The Insurance Market And Increase Premiums. “State insurance commissioners warned that the president's solution would undermine a central goal of the law, the creation of one big insurance pool in each state for people who don't have access to coverage on their jobs. Fracturing that market could lead to higher future premiums for people buying coverage through the law's new insurance exchanges, which offer government-subsidized private insurance.” (Ricardo Alonso-Zaldivar, “Obama Struggles To Save His Cherished Health Law,” [The Associated Press](#), 11/16/13)

Even Obama's Own Allies And Aides Aren't Convinced By His So-Called Fix For ObamaCare

“Thirty-Nine Democrats Broke With Their Party Leaders” To Back The House Republicans’ “Keep Your Plan Act.” “Thirty-nine Democrats broke with their party's leaders and backed the bill despite a

veto threat by the White House, highlighting the political problem the issue has come for President Obama's party." (Pete Kasperowicz, "House Approves 'Keep Your Plan' ObamaCare Bill; 39 Dems Defect," [The Hill's Floor Action Blog](#), 11/15/13)

- **The Vote Was "The Biggest Defection Of The Year" And Represented Nearly 20% Of The Democrats' Caucus.** KELLY O'DONNELL: "The biggest defection of the year from inside the President's own party today. 39 Democrats, nearly 20% of their caucus, joined with Republicans to change the health care law to try to let millions of consumers whose health insurance has been cancelled keep their plan." (NBC's [Nightly News](#), 11/15/13)

NBC's Chuck Todd: "White House Aides Acknowledge The President Doesn't Have The Power To Mandate The Fix." PRESIDENT OBAMA: "The bottom line is insurers can extend current plans that would otherwise be cancelled into 2014 and Americans whose plans have been cancelled can choose to re-enroll in the same kind of plan." TODD: "But what the President didn't emphasize is insurance companies don't have to renew these policies. The President is simply asking them to extend this courtesy to upset policy holders. White House aides acknowledge the President doesn't have the power to mandate the fix." (NBC's [Nightly News](#), 11/14/13)

STATES ARE NOW STRUGGLING TO IMPLEMENT OBAMA'S SO-CALLED OBAMACARE FIX

Only A Few State Insurance Commissioners Support The Fix. "Few state insurance commissioners by Friday had announced support for the Obama administration's latest ObamaCare patch. The state regulators, who were caught off guard by the White House's Thursday announcement, largely said they needed more time to talk with health plans and evaluate whether the administration's plan would upend their insurance markets." (Jason Milliman and Kyle Cheney, "States Divided Over Complying With ObamaCare Fix," [Politico](#), 11/18/13)

- **State Insurance Commissioners, Who Are In Charge Of Authorizing Companies To Implement Obama's Fix, Have Noted The Plan Would Be Difficult To Put Into Effect.** "The Obama administration is asking insurance commissioners to allow companies in their states to take that step. But an association representing state insurance commissioners said the White House didn't consult with it before announcing its new policy. After the president spoke, the association released a statement saying it would be difficult to put into effect the changes laid out by Mr. Obama." (Peter Nicholas and Carol E. Lee, "White House Soul-Searches As Errors Mount," [The Wall Street Journal](#), 11/17/13)

"Insurance Commissioners In Washington State, Mississippi, Georgia And Rhode Island Have Already Said No, And Others Have Said They're Skeptical About It." (David Nather, "ObamaCare: So, What Could Go Wrong Next," [Politico](#), 11/18/13)

Democrats Have "Echoed" Indiana Chief Deputy Insurance Commissioner's Comments Saying Obama's Fix Is "Purely Political" And "Unfair." "Logan Harrison, chief deputy commissioner of the Indiana Department of Insurance, said his state had not decided how to proceed but the fact that they were having to scramble to do anything was maddening. 'This is absurd,' he said. The president, he said, made a 'purely political decision' that punts his problem squarely into the laps of state insurance commissioners. 'It's unfair to us and our citizens.' A number of other state officials, both Democrats and Republicans, echoed Mr. Harrison's frustration but were not willing to speak on the record." (Reed Abelson And Susanne Craig, "After Obama Meeting, Insurers Question Plan's Workability," [The New York Times](#), 11/15/13)

"The President's ObamaCare 'Fix' Might Not Fly In New York," Which Remains Undecided On If The State Will Go Along With Obama. "The President's ObamaCare 'fix' might not fly in New York. A growing list of states are refusing to go along with President Obama's plan to extend insurance policies canceled

due to ObamaCare for one year — and New York remains undecided.” (Michael Gartland, “NY Undecided On ObamaCare Insurance Patch,” [New York Post](#), 11/6/13)

In Montana, Businesses And Nonprofits Are Struggling To Keep Up With ObamaCare’s Changing Rules. “Missoula businesses and nonprofit organizations are struggling to keep up as the Affordable Care Act’s options and rules continue to change. Debbie Jones, an insurance agent at Glidewell Investments & Insurance Group Inc., said many of her small business clients face changing plans. For many businesses, the changes mean higher rates and more out-of-pocket costs for employees.” (Alice Miller, “Missoula Businesses Struggle With Affordable Care Act Changes,” [The Missoulian](#), 11/16/13)

- **Montana’s State Insurance Commissioner Said Obama’s Fix Is Confusing.** “Late last week, State Insurance Commissioner Monica Lindeen released a statement berating President Barack Obama’s announcement that he[sic] would make administrative fixes to the ACA that would allow people to retain plans that do not meet the act’s minimum requirements for coverage. ‘This kind of confusion is precisely why I have always fought for keeping insurance regulation at the state level,’ she said. ‘We know our markets, our companies and our neighbors better than Washington, D.C., does.’” (Alice Miller, “Missoula Businesses Struggle With Affordable Care Act Changes,” [The Missoulian](#), 11/17/13)

HHS Secretary Kathleen Sebelius’s Successor In Kansas, Insurance Commissioner Sandy Praeger Is “Troubled” By The Fix. “She was responsible for overseeing the implementation and creation of the specifics of ObamaCare. Additionally, as a former insurance commissioner responsible for approving or rejecting coverage plans for Kansas consumers, it seemed like she would have had an understanding of the impact as federal coverage standards changed to become more robust. And some insurance commissioners are troubled by the President’s proposal to allow a one year extension of individual health plans -- those most likely to be canceled. Sebelius’ successor, Sandy Praeger, said she and her fellow insurance commissioners around the country warned the administration early on. ‘We said from the get-go that if you start taking pieces out of this, it will collapse,’ Praeger told the Lawrence Journal World.” (Leigh Anne Caldwell, “More Questions Swirl Around Sebelius,” [CNN](#), 11/15/13)

Louisiana Insurance Commissioner And President Of The National Association Of Insurance Commissioners Jim Donelon: “You Can’t Change The Rules At The Last Minute ... It Threatens The Solvency Of The System.” “Jim Donelon, Louisiana Insurance Commissioner and President of National Association of Insurance Commissioners (NAIC), told ‘New Day’ Anchor Chris Cuomo that he was ‘pleased and surprised at the unanimity across the board in concern’ about the timing of the President’s one year fix to the Affordable Care Act that will allow people to keep their insurance policies that no longer meet minimum standards. ... ‘The problem is you can’t change the rules at the last minute when the game’s about to start. And the rules have given benefits to lots of policyholders – guarantee issue, caps on coverage for older policyholders,’ Donelon said. ‘It threatens the solvency of the system and it threatens to spike the cost to policyholders across the board. So, each state will have to make that determination for themselves. But at the NAIC level, we had two calls yesterday in the aftermath of the President’s announcement. And I was pleased and surprised at the unanimity that I found across the board in concern over what the President is proposing.’” (“National Association Of Insurance Commissioners: ‘Please And Surprised’ At Unanimity In Concern Over One Year Fix,” [CNN](#), 11/15/13)

The Insurance Commissioner Of Washington D.C. Was Fired For Questioning The Workability Of Obama’s ObamaCare Fix. “A day after he questioned President Obama’s decision to unwind a major tenet of the health-care law and said the nation’s capital might not go along, D.C. insurance commissioner William P. White was fired. White was called into a meeting Friday afternoon with one of Mayor Vincent C. Gray’s (D) top deputies and told that the mayor ‘wants to go in a different direction,’ White told The

Washington Post on Saturday.” (Aaron Davis, “D.C. Insurance Commissioner Fired A Day After Questioning ObamaCare Fix,” [The Washington Post](#), 11/17/13)

- **Washington D.C.’s Former Insurance Commissioner “Was One Of The First Insurance Commissioners ... To Push Back” On Obama’s Fix.** “White was one of the first insurance commissioners in the nation last week to push back against Obama’s attempt to smooth over part of the botched rollout of the Affordable Care Act: millions of unexpected cancellations of insurance plans.” (Aaron Davis, “D.C. Insurance Commissioner Fired A Day After Questioning ObamaCare Fix,” [The Washington Post](#), 11/17/13)

Blue State Massachusetts Continues To Weigh Its Options On Whether To Implement Obama’s Fix. “The initial reaction to the White House ‘fix’ didn’t run along the usual red state-blue state lines. Even a reliable White House ally like Massachusetts Gov. Deval Patrick couldn’t say whether his state would back the administration’s cancellation plan. ‘We share the president’s commitment to assuring that everyone has adequate health coverage, and are working with the industry and our residents to implement the [Affordable Care Act],’ said state Insurance Commissioner Joseph Murphy. ‘We will assess whether the latitude the president authorized today is necessary or helpful here in Massachusetts.’” (Jason Milliman and Kyle Cheney, “States Divided Over Complying With ObamaCare Fix,” [Politico](#), 11/18/13)