

1 [Urging the United States Congress Not to Repeal the Patient Protection and Affordable Care
2 Act]

3 **Resolution urging the United States Congress not to repeal the Patient Protection and**
4 **Affordable Care Act without a clearly-defined replacement plan, and to maintain the**
5 **current funding structure of the Medicaid program.**

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7 WHEREAS, San Francisco has long led the way in compassionate care and has been
8 committed to ensuring affordable access to health care for all, and nearly 250,000 San
9 Franciscans rely on the Affordable Care Act (ACA) and the Medicaid program for their
10 coverage; and

11 WHEREAS, San Francisco is internationally renowned for pioneering standards for
12 HIV/ AIDS prevention, care and treatment; and

13 WHEREAS, With bipartisan support in Congress, we have made significant strides in
14 responding to the HIV epidemic in the United States and abroad; and

15 WHEREAS, We now have highly effective prevention and treatment options that allow
16 us to envision ending the AIDS epidemic; and

17 WHEREAS, However, doing so requires that individuals at risk for HIV and those living
18 with HIV have affordable, reliable access to comprehensive health coverage; and

19 WHEREAS, The ACA provided many people living with HIV with health insurance
20 coverage for the first time; and

21 WHEREAS, Prior to the ACA's health reforms, they, and many others with chronic
22 conditions, were denied private health insurance or could not afford the high-cost coverage
23 available to them; and

24 WHEREAS, Even those living on very low incomes often faced the cruel irony that they
25 would not qualify for Medicaid coverage until they became disabled by AIDS; and

1 WHEREAS, The San Francisco Public Utilities Commission (SFPUC) desires to
2 receive State grant funds, and is willing to cooperate in fulfilling Association of Bay Area
3 Governments (ABAG) obligations under the State grant requirements; and

4 WHEREAS, Through a citywide collaborative effort that includes partnerships across
5 City agencies, academia, and community providers, San Francisco is aiming for Getting to
6 Zero; and

7 WHEREAS, Through a focus on prevention, rapid linkage to and retention in treatment,
8 we aspire to reach the goals of zero new infections, zero deaths, and zero stigma for people
9 living with HIV/AIDS; and

10 WHEREAS, Efforts to quickly do away with the ACA, without simultaneously providing
11 meaningful alternatives, will leave millions of Americans uninsured or underinsured; and

12 WHEREAS, People with HIV and countless others cannot afford to be stripped of their
13 health insurance coverage; and

14 WHEREAS, Their health, and in many cases their lives, and our nation’s public health
15 depend on preserving and building on the ACA reforms that have worked by providing access
16 to essential, life-saving health care services and prescription drugs; and

17 WHEREAS, We strongly urge Congress to take into account the following reform
18 principles before repealing the ACA or modifying key health programs; these principles will
19 help to ensure that people living with HIV/ AIDS can continue the quality of life that they
20 deserve and have been afforded over the last eight years:

- 21 • **Prevent any disruptions in health coverage**, as the failure to do so will have
22 negative health consequences for up to 30 million individuals whose health coverage is
23 at risk in addition to serious public health and economic consequences for all
24 Americans. Do not modify current law without having meaningful, adequately funded
25 alternatives available. It is critical to have a plan for seamless continuation of coverage

1 in place *before* announcing repeal or modifying the law to avoid negative repercussions
2 in the Insurance market.

- 3 • **Maintain critical reforms that address unfair or discriminatory insurer practices,**
4 including laws that prohibit insurers from denying coverage based on pre-existing
5 conditions or charging higher rates based on health status or gender, or excluding
6 coverage of treatments for specific conditions. These consumer protections should not
7 be contingent on continuous coverage requirements.
- 8 • **Maintain the current funding structure, including the entitlement, of the Medicaid**
9 **program, which is an essential part of our safety net.** Congress should continue to
10 support states in responding to their most vulnerable residents' health needs. States
11 must have flexibility to expand their programs during increased demand for Medicaid
12 coverage in tough economic times, unanticipated outbreaks or disasters, and when
13 implementing health innovations, such as the recent curative breakthrough treatments
14 for Hepatitis C.
- 15 • **Ensure access to a minimum essential benefits package** that includes the
16 comprehensive range of services and treatments that people at risk for and those living
17 with HIV need to stay healthy, including prescription drug benefits, substance use and
18 mental health treatment, and preventive services without cost-sharing.
- 19 • **Keep health coverage, health services and prescription drugs affordable** by
20 ensuring adequate, up front premium and cost sharing assistance for lower income
21 individuals to afford health plans that provide comprehensive coverage. Low income
22 individuals need assistance at the time the bills are due or they will forgo medically
23 necessary treatment and care. Maintain the bans on annual and lifetime benefits caps
24 to ensure access to care and coverage when it's needed most.

1 • **Sustain strong non-discrimination protections** such as Section 1557 of the ACA
2 that prohibit insurers or providers from discriminating against individuals on the basis of
3 their race, color, national origin, sex, age or disability; now, therefore, be it

4 RESOLVED, That the health care and socioeconomic needs of people living with HIV
5 and millions of others who rely on the marketplaces and Medicaid for access to their care and
6 treatment must be strongly considered in any Congressional action on health care; and, be it

7 FURTHER RESOLVED, We are hopeful that any reforms proposed under the new
8 Administration and Congress will provide protections for those living with chronic conditions
9 and build upon the lessons learned over the last eight years of health care reform efforts that
10 have extended coverage to millions, strengthened consumer protections, and paved the way
11 for improved health outcome for all Americans; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors urges the United States
13 Congress not to repeal the Patient Protection and Affordable Care Act without a replacement
14 plan to maintain the current funding structure of Medicaid.

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