

Health Care and the 2020 Presidential Election

October 2020

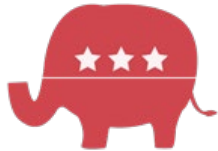
KFF
HENRY J KAISER
FAMILY FOUNDATION

Filling the need for trusted information on national health issues.

Where do the 2020 presidential candidates stand on health care issues?



Donald Trump



Joe Biden



NOTE: The following slides reflect President Trump's record during his presidency, including as reflected on his 2020 campaign website. The Trump campaign website added Second Term Agenda information on August 23, consisting of several bullet points but no other detail. The following slides also reflect Joe Biden's proposals described on his 2020 campaign website, including the Unity Task Force Recommendations.

Trump's Health Record: *At a Glance*

- *Supported repeal of the Affordable Care Act (ACA) and supporting lawsuit to overturn entire law*
- *Proposed changes to cap and limit federal funding for Medicaid and limit Medicaid eligibility*
- *Restricted access to reproductive health services*
- *Reduced insulin costs for some Medicare beneficiaries, effective 2021; proposed other ways to reduce drug prices (most have not been implemented)*
- *Made changes to immigration policy to restrict entry of individuals who are likely to use Medicaid and certain other public programs*
- *Signed federal COVID-19 emergency relief legislation; has delegated primary responsibility for COVID-19 to states*



Trump's Record

Biden's Health Proposals: *At a Glance*



Biden's Proposals

- *Retain and strengthen the ACA and create a new public option, and increase the number of people eligible for subsidies and enhance subsidies*
- *Retain ACA Medicaid expansion*
- *Provide option to enroll in Medicare at age 60*
- *Increase health insurance coverage options for immigrants*
- *Reduce prescription drug costs*
- *Enhance funding for long-term care*
- *Restore and expand reproductive rights*
- *Expand federal COVID-19 emergency relief; put federal government in charge of the COVID-19 response*

COVID-19 Response



Trump's Record



Biden's Proposals

- The U.S. accounts for 4% of the world's population but 25% of all COVID cases and 22% of deaths
- Delegated primarily responsibility for COVID-19 response to states, with federal government as back-up
- Signed emergency relief legislation which eliminated out-of-pocket costs for COVID-19 testing, prevention, eventual vaccine; increased Medicaid FMAP by 6.2%; expanded unemployment insurance; and provided paid sick and expanded family and medical leave during emergency
- Extended COBRA election period during emergency, without subsidies
- Declined to reopen ACA enrollment for uninsured
- Supports reopening schools in-person, and tying some federal funding relief to physical reopening
- Reduced U.S. engagement in global response, ended US funding for WHO and announced withdrawal from WHO membership

- Put "scientists and public health leaders front and center" in communication with the American people
- Give Federal government primary responsibility for response
- Expand federal COVID relief to eliminate out-of-pocket costs for treatment (in addition to testing, prevention vaccines); increase Medicaid FMAP by at least 10%; provide additional pay and PPE to essential workers; further expand unemployment insurance and sick/family leave; reimburse employers for sick leave; and provide employer tax credit for COVID-19 health care costs
- Cover COBRA with 100% premium subsidies during emergency
- Reopen ACA enrollment for uninsured
- Reopen schools in-person *only after* achieving sufficient reductions in community transmission
- Re-embrace international engagement and reverse decision to defund/withdraw from WHO

The ACA Marketplace



Trump's Record

- Supports ACA repeal/lawsuit to overturn the ACA (including premium subsidies and pre-existing condition protections)
- Promoted use of short-term health plans that have lower premiums, but can exclude coverage for pre-existing conditions
- Supported Congressional proposal to
 - Replace income-related premium tax credits with smaller flat tax credits
 - Allow states to waive essential health benefits and community rating
- Eliminated cost-sharing reduction (CSR) payments to marketplace insurers
- Encouraged state waivers that promote and apply subsidies to non-ACA-compliant policies
- Cut funding for consumer enrollment assistance and outreach, shortened open enrollment, limited mid-year special enrollments
- Supported repeal of the individual mandate penalty



Biden's Proposals

- Expand eligibility for financial assistance to include people with income over 400% FPL, people with employer coverage, and adults in non-expansion states who would otherwise be eligible for Medicaid
- Make premium tax credits more generous
- Reduce out-of-pocket cost sharing for marketplace enrollees by setting the benchmark plan at the gold level
- Restore funding for consumer outreach and assistance
- Create new public option

Public Option



Trump's Record



Biden's Proposals

- *Does not support a public option*
- *Does not support Medicare-for-all*

- ***Establish new federal public health insurance option, like Medicare***
 - *Available to all people eligible for marketplace coverage, people with employer coverage, and people who would otherwise be eligible for Medicaid in non-expansion states*
 - *Premium tax credits and cost-sharing subsidies apply to public option*
 - *Cover ACA essential health benefits*
 - *For low-income adults who would otherwise be Medicaid eligible in non-expansion states, coverage is premium-free and provides full scope of Medicaid benefits*
 - *Public plan negotiates prices with hospitals and other providers*
 - *Retain employer coverage, private marketplace coverage, Medicaid, and Medicare*
- ***Does not support Medicare-for-all***

Medicaid



Trump's Record



- Supporting repeal of the ACA/ lawsuit to overturn the law (including Medicaid expansion and other provisions)
- Proposed changes to cap and limit federal funding for Medicaid and limit Medicaid eligibility
- Supported policies and approved waivers to require work as a condition of Medicaid eligibility
- Invited state waivers that would allow states to deviate from federal minimum standards related to program design and oversight in exchange for capped federal financing
- Took administrative actions to increase eligibility verification requirements and put limits on state financing mechanisms
- Signed legislation to increase Medicaid FMAP by 6.2 percentage points with eligibility protections



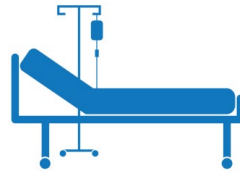
Biden's Proposals

- Retain ACA Medicaid expansion and other ACA Medicaid provisions
- Automatically enroll into the public option adults who would be eligible for Medicaid if their state had expanded under the ACA, with no premium and full Medicaid benefits.
- Allow states that have expanded to move Medicaid expansion enrollees into the public option, with a maintenance-of-effort payment from the states
- Increase federal Medicaid funding for home- and community-based services
- Provide federal support for state Medicaid programs during economic crisis

Medic



Trump's Record



Biden's Proposals

- No proposed changes to broaden Medicare eligibility
 - Capped Medicare Part D insulin copays for some enrollees and introduced other proposals to lower drug costs (see Rx slide)
 - Supported repeal of ACA, which includes provisions that closed the Medicare prescription drug "donut hole", added free coverage of preventive services, and reduced spending to strengthen the solvency of the Medicare Hospital Insurance Trust Fund
 - Broadened Medicare coverage of telehealth during COVID-19 pandemic, and provided funds for health care providers
 - Signed legislation that accelerated insolvency of the Medicare Hospital Insurance Trust Fund, including the Tax Cuts and Jobs Act of 2017 and repeal of the ACA "Cadillac Tax"
 - Expanded Medicare Advantage supplemental benefits
 - Proposed ~\$450 billion in net Medicare spending reductions over 10 years (FY2021 budget)
- Lower age of Medicare eligibility to 60, with an option for people ages 60-64 to keep their coverage; financed separately from the current Medicare program
 - Reduce drug prices under Medicare, people with private insurance, and under the proposed public option, by giving the Secretary authority to negotiate drug prices with pharmaceutical companies (*see next slide*)
 - Add vision, hearing, and dental benefits in financially sustainable manner to Medicare

Prescription Drug Prices



Trump's Record

- No proposal to lift ban in current law prohibiting the federal government from negotiating drug prices under Medicare
- Capped monthly insulin costs for some Medicare Part D enrollees
- Signed the Bipartisan Budget Act of 2018 which accelerated the phase out of the Medicare Part D "donuthole"
- Banned "gag clauses" that prevented pharmacists from telling customers if they could save money on their prescriptions
- Finalized two pathways to allow importation of prescription drugs, subject to safeguards
- Proposed but not implemented:
 - Test models to limit prices under Medicare Part B and Part D for certain high-cost drugs, based on "most favored nation" prices (i.e., the lowest among OECD countries)
 - Cap out-of-pocket drug costs in Medicare Part D
 - Ban Medicare Part D rebates -- projected to reduce copays at pharmacy counter for some drugs, but increase Medicare spending and premiums
 - Require drug companies to disclose prices in TV ads (blocked by federal court)



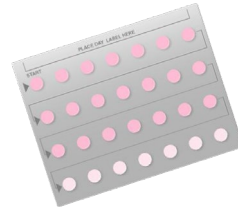
Biden's Proposals

- Authorize the federal government to negotiate drug prices for Medicare and other purchasers (public and private), capped to a level associated with average OECD median prices
- Prohibit prices for all brand and some generic drugs from rising faster than inflation under Medicare and public option
- Limit launch prices for new specialty drugs for Medicare and public option; price would be based on recommendation of new independent review board, based on the average price in other countries (marketplace plans may use lower price)
- Cap out-of-pocket drug costs in Medicare Part D
- Allow importation of prescription drugs, subject to safeguards
- Eliminate tax break for pharmaceutical company advertising expenses
- No proposal to ban rebates in Medicare Part D

Reproductive Health



Trump's Record



Biden's Proposals

- Supports the Hyde Amendment, which prohibits federal funding for abortion except in cases of rape, incest, or life endangerment
- Supports overturning Roe v. Wade, the 1973 Supreme Court decision that established a constitutional right to abortion, and appointed federal judges opposed to abortion rights
- Prohibited federal Title X family planning funds for clinics that provide or refer for abortion
- Exempted more employers from ACA's requirement to offer plans that include no-cost contraceptive coverage
- Added new payment requirements for enrollees in ACA Marketplace plans that include coverage for abortion and insurers who offer them
- Eliminated anti-discrimination protections in health care for LGBTQ patients and those who have terminated a pregnancy
- Reinstated and significantly expanded "Mexico City Policy" to apply to almost all U.S. global health assistance

- Opposes the Hyde Amendment, calling for its 'repeal' from Congressional appropriations bills
- Supports Roe v. Wade and pledges to nominate judges who will uphold abortion rights
- Reverse the Trump Administration's Title X rule and restore funds to family planning clinics that provide or refer for abortion
- Prohibit states from refusing Medicaid payments to reimburse Planned Parenthood and other providers for family planning services
- Ensure people with employer-sponsored insurance have access to no-cost contraceptive coverage regardless of their employer's beliefs
- Reverse Trump administration policies that permit discrimination of LGBTQ patients seeking health care
- Rescind Mexico City Policy

HIV Policy



Trump's Record



Biden's Proposals

- Launched “Ending the HIV Epidemic: A Plan for America” to reduce HIV incidence in U.S. by 75% by 2025 and 90% by 2030, leading to first significant increase in domestic HIV funding in several years; includes increased support for PrEP
- Supports repeal of ACA which would reduce coverage and access for people with HIV, who could be denied coverage due to HIV
- Eliminated anti-discrimination protections in health care for LGBTQ patients
- Implemented “Deploy or Get Out” DoD policy, requiring service members who are “non-deployable” for 12 months to be processed for separation, which has been used to attempt to discharge those with HIV
- Has publicly supported PEPFAR but recently requested budget cuts to PEPFAR and Global Fund of more than \$2 billion

- “Re-commit to ending the HIV/AIDS epidemic by 2025”
- Update and implement National HIV/AIDS Strategy
- Supports ACA expansion and new public option and comprehensive coverage, including for HIV treatment, gender transition services, and PrEP & PEP and related costs
- Reverse Trump administration policies that permit discrimination of LGBTQ patients seeking health care
- Rescind “Deploy or Get Out” DoD policy
- Support repeal of HIV criminalization laws, including development of federal guidance on best practices for states
- Restore U.S. standing as global leader defending LGBTQ+ rights and development including prioritizing commitment to global HIV/AIDS, through PEPFAR and Global Fund

Mental Health and Opioids



Trump's Record



Biden's Proposals

- Supported repeal of the ACA, which would reduce coverage for mental health services and substantially limit the scope of mental health parity rules
- Declared the opioid crisis a national public health emergency, created a commission on opioids, and released a five-point opioid strategy to address prevention and treatment, access to Naloxone, improve data collection and research
- Signed legislation approving additional grant funds to combat opioid epidemic, including SUPPORT Act, though proposed budget decreased overall funding to SAMHSA and Medicaid, key funders for substance use disorder services
- Created a task force to focus on suicide prevention for veterans and proposed increased VA funding for suicide prevention
- Signed federal legislation during pandemic to provide funds to SAMHSA and to support VA expansion of mental health services for isolated veterans

- Enforce existing mental health parity laws and expand funding for mental health
- Implement suicide prevention strategies for veterans and LGBTQ youth. For veteran suicide prevention, expand and strengthen mental health programs both inside and outside the VA
- Increase mental health workforce by doubling the number of mental health professionals in schools and encouraging youth to pursue health care jobs
- Address the opioid crisis with a five-point plan that includes increased access to services, decreases in unnecessary opioid prescriptions, and holding pharmaceutical companies accountable for their role in the opioid crisis

Immigration and Health Coverage



Trump's Record

- Supports transition to “merit-based” immigration, winding down the Deferred Action for Childhood Arrivals (DACA) program, ending illegal immigration, building a wall between US and Mexico, ending chain migration, eliminating visa lottery program, disqualifying sanctuary cities from receiving federal funds
- Issued regulatory changes to public charge policy that restrict entry or adjustment to lawful permanent resident status for individuals the federal government determines are likely to receive certain non-cash public benefits, including Medicaid for non-pregnant adults (Implementation subject to ongoing litigation)
- Issued a proclamation stating that all new immigrants could be denied entry unless they provide proof of eligible health insurance or ability to pay for foreseeable medical costs (Court order currently prevents implementation)



Biden's Proposals

- Create a roadmap to legal status and citizenship for unauthorized immigrants who register, are up-to-date on taxes, and have passed a background check; reinstate Deferred Action for Childhood Arrivals (DACA); direct federal resources from building a wall to other border enforcement efforts; reverse Trump Administration policies that separate parents and children at the border
- Reverse Trump Administration's changes to public charge policy
- Expand ACA coverage to include DACA recipients (Dreamers)
- Remove the five-year waiting period in Medicaid and CHIP for lawfully present immigrants
- Allow undocumented immigrants to purchase unsubsidized coverage in the ACA Marketplaces

Long-term Care



Trump's Record



Biden's Proposals

- Supports policies to cap federal Medicaid financing and repeal the ACA which would limit funding for long-term care and eliminate state options to expand access to Medicaid home- and community-based services
- Proposed changes to nursing home regulations, such as relaxing requirements for infection preventionist, psychotropic drug use, grievance process, staffing data retention, and quality assurance and performance improvement program
- Required nursing homes to report COVID-19 cases and deaths beginning in May 2020, and established independent commission to assess nursing home COVID-19 response

- Increase federal funding for Medicaid home- and community-based services to eliminate wait lists, test new models of care, and expand community health workers
- Provide \$5,000 in tax credits for informal caregivers
- Expand tax benefits for older Americans who purchase private long-term care insurance
- Improve nursing home staffing and quality standards

Lowering Health Care Costs



Trump's Record



Biden's Proposals



- Required hospitals to disclose "standard charges" (negotiated prices) so consumers can shop for lower prices (currently being challenged in court)
 - Capped insulin costs for some Part D enrollees; issued executive orders with additional proposals to lower drug prices (See Rx slide)
 - Promoted use of short-term health and association plans with lower premiums that cover fewer benefits; short-term plans permitted to deny coverage based on pre-existing conditions
 - Supports development of alternative payment models
 - Supports prohibitions on surprise medical bills (no details provided)
- Enforced antitrust laws to prevent anti-competitive consolidations and other practices that increase hospital and other health care prices
 - Supports approaches to lowering drug costs, including government negotiations, limits on price increases, limits on launch prices (See Rx slide)
 - Negotiate prices with hospitals and other health care providers under the public option
 - Support development of alternative payment models for Medicare and public option
 - Increase the number of people eligible for ACA marketplace subsidies and enhance subsidies
 - Support prohibitions on surprise medical bills (no details provided)

For more information related to the health policy issues and the 2020 elections, including policy analysis, polling, and journalism, see [KFF.org/election-2020/](https://www.kff.org/election-2020/)