June 24, 2020

Attorney General Jeff Landry
Louisiana Department of Justice
1885 North Third Street
Baton Rouge, LA 70802

Dear Attorney General Landry:

The undersigned organizations, representing thousands of Louisiana patients and consumers, respectfully request that you immediately withdraw the State of Louisiana from the harmful California v. Texas lawsuit. If successful, this lawsuit would overturn the Patient Protection and Affordable Care Act (ACA), and take away vital healthcare coverage and patient protections from your constituents.

The Covid-19 public health emergency highlights the importance of a robust healthcare system able to provide quality care and respond quickly when new threats emerge. Thanks to the ACA, Louisiana entered the Covid-19 pandemic better positioned than most Southern states to both fight the pandemic and support the people of Louisiana with a more robust healthcare system and historically high levels of health insurance coverage. This lawsuit threatens to undo these gains.
Since its enactment in 2010, the ACA has brought many improvements to the national health care system, including Medicaid expansion for low income adults, a private health insurance marketplace with federal subsidies for low and moderate income Americans, and numerous patient protections, including the ability of young adults to remain on their parent’s insurance and coverage of pre-existing conditions. The pre-existing condition guarantee has become even more critical now that insurers would likely consider Covid-19 a pre-existing condition for tens of thousands of Louisianans.

These ACA provisions are good for Louisiana. An early feature of the law, the subsidized health insurance marketplace, helped drive down uninsured rates through affordable coverage for low- and moderate-income families starting in 2014. As recently as last year, more than 90,000Louisianans accessed health insurance through the marketplace, and about 80% received a federal subsidy to keep their insurance premiums affordable.

Since Louisiana adopted Medicaid expansion on July 1, 2016, over 500,000 low income Louisianans have gained access to health insurance. According to the Louisiana Department of Health, nearly 400,000 Medicaid expansion patients have visited their doctor at least once a year, more than 130,000 have received breast and colon cancer screenings, and more than 100,000 have received specialized mental health services. We should not take this vital care away from Louisianans.

Prior to the ACA, nearly 1 in 5 Louisianans residents did not have health insurance, and adults living at the poverty level were far less likely to have health insurance. Today, thanks to the ACA, fewer than 1 in 10 Louisianans remain uninsured, and those who qualify for Medicaid expansion are nearly as likely to have health insurance as their middle class neighbors.

The ACA is good for Louisiana’s economy. Through Medicaid expansion, Louisiana has gained 14,000 local jobs and $1.7 billion a year in federal dollars that are pumped into the private healthcare industry. This money goes to pay the salaries of doctors and nurses and health insurance professionals employed by the private Managed Care Organizations (MCOs) that administer the program. Medicaid expansion has also helped sustain rural hospitals in Louisiana, even while hospitals close in neighboring states.

The ACA provides vital patient protections for the people of Louisiana. One of the most important provisions of the landmark federal law is universal coverage of preexisting conditions. Over 900,000 Louisianans are estimated to have declineable pre-existing conditions when assuming pre-ACA practices. This number has almost certainly increased, as the Louisiana Department of Health reports nearly 50,000 cases of Covid-19

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1 Jen Mishory, “Pre-Existing Condition Protections Are at Risk in the Wake of COVID-19,” The Century Foundation May 21, 2020
4 Healthy Louisiana, LDH Medicaid Expansion Dashboard, Louisiana Department of Health
5 Ibid
6 Stacey Roussel, “Louisiana’s uninsured rate remains low as national rate rises” Louisiana Budget Project, September 2019
8 Stacey Roussel, “Louisiana’s uninsured rate remains low as national rate rises” Louisiana Budget Project, September 2019
10 Kaiser Family Foundation, “Pre-Existing Condition Prevalence for Individuals and Families” Accessed June 2020
have been diagnosed in the state. Without adequate protections, people with pre-existing conditions like cancer, heart disease, hypertension, and now, Covid-19 would be forced into pre-ACA style high risk pools\textsuperscript{12} with long waiting lists and high premiums.

The protections and improvements in coverage the ACA has brought to Louisiana are too important to jeopardize, especially as a global pandemic highlights the importance of a robust healthcare system - which includes a strong health insurance system - to pay for and provide care when people need it most.

The undersigned organizations urge you to act in the best interest of Louisiana consumers and patients and immediately remove Louisiana from this harmful lawsuit.

Respectfully,

504HealthNet  
A Community Voice  
American Cancer Society Cancer Action Network  
American Lung Association Louisiana  
Hadassah New Orleans  
Independent Women’s Organization  
Jewish Family Service of Greater New Orleans  
Louisiana Budget Project  
Louisiana Center for Health Equity  
Louisiana Chapter of the American Academy of Pediatrics  
Louisiana Partnership for Children and Families  
Louisiana Primary Care Association  
League of Women Voters of Louisiana  
National Council of Jewish Women, Greater New Orleans Section  
New Leaders Council Louisiana  
Northshore Democratic Women’s Club  
Power Coalition for Equity and Justice  
Progressive Social Network of Baton Rouge  
Southern Poverty Law Center Action Fund  
Step Up Louisiana  
The First 72  
Unitarian Universalist Voices for Reproductive Freedom

CC:  
John Bel Edwards, Governor, Louisiana Office of the Governor  
Jim Donelon, Commissioner, Louisiana Department of Insurance  
Dr. Courtney N. Phillips, Secretary, Louisiana Department of Health

\textsuperscript{12} Sabrina Corlette and Justin Giovannelli, “Protecting People with Preexisting Conditions Requires More Than a Piecemeal Approach: An Assessment of a Louisiana Bill to Codify Some, But Not All, ACA Protections” Center on Health Insurance Reform, May 15, 2019