

## USET SPF Action Alert: ACA Repeal & Replace Efforts Reignited, Affecting SDPI

Dear USET SPF Board Of Directors and DC Tribal Reps,

As you may already be aware, efforts to repeal and replace the Affordable Care Act have been reignited in the Senate. In a last ditch effort to move legislation via a simple majority process known as "reconciliation" before its authority expires on September 30<sup>th</sup>, a proposal drafted by GOP Senators Lindsey Graham (SC) and Bill Cassidy (LA) is gaining steam. Similar to a previous bill, the Better Care Reconciliation Act, the Graham-Cassidy proposal would make dangerous changes to the Medicaid program by capping spending and providing states with the option to receive dollars via block grant. In addition, it would repeal funding for Medicaid Expansion, health insurance cost-sharing provisions, and premium subsidies, allocating the funding to state block grants, shifting federal dollars and responsibility to the states. **USET SPF strongly opposes the proposal.**

This proposal would undermine the federal trust responsibility to provide health care to American Indians and Alaska Natives (AI/AN) by transferring control of the Medicaid program and other federal health care dollars and services to the states. In addition, the Indian Health System faces a reduction in funding as a result of per-person caps on Medicaid spending. While the cap does not apply to services received through the IHS or Tribal health systems, it would nonetheless result in reduced eligibility and/or services at the state level. Finally, the proposal allows states the option to impose work requirements on Medicaid beneficiaries (without exempting AI/AN) and changes 40 years of prior practice by allowing any provider (not just IHS or Tribal providers) serving AI/AN Medicaid beneficiaries to be reimbursed at 100% for the cost of care by the federal government with no guarantee of additional funding going to IHS or Tribal providers or for care to individual AI/ANs.

For a section-by-section of the Graham-Cassidy Proposal, please click [here](#).

There is some concern about what this proposal would mean for movement on the CHIP Reauthorization, which is likely to include the reauthorization of the Special Diabetes Program (Type-1 research) and Special Diabetes Program for Indians, prior to the expiration of all three authorizations at the end of the month. Action on Graham-Cassidy could politicize the reauthorization, jeopardizing uninterrupted funding for SDPI.

You will recall that under budget reconciliation rules, legislation can be passed with just a simple majority of 50 votes. Senate Republicans have a 52 seat majority, which means that 3 GOP senators need to oppose the proposal in order to stop it in its tracks. Currently, all Democratic senators and Senator Rand Paul (KY) are opposed. Senators Susan Collins (ME), Lisa Murkowski (AK), and John McCain, who essentially ended consideration of the previous ACA Repeal & Replace effort, have not revealed their positions.

**It is critical that Indian Country's voice is heard as the Graham-Cassidy proposal is considered. USET SPF encourages member Tribal Nations to contact their Senators and urge them to oppose the Graham-Cassidy proposal.** To determine your Senators and receive their contact information, please click [here](#).

### **Top Talking Points**

- The trust responsibility to provide health care to American Indians and Alaska Natives rests with the federal government. The Graham-Cassidy Proposal would violate the trust responsibility by shifting control over Medicaid and other health care programs and services to the states.
- Cutting Medicaid funding, phasing out Medicaid Expansion, and imposing work requirements or other barriers to Medicaid access threatens a critical source of reimbursement dollars for the chronically underfunded Indian Health System. Any cuts to Medicaid are cuts to Indian health.
- Special Indian-specific health insurance plans offered under the ACA are another method by which the federal government seeks to meet its trust responsibility to provide care and close gaps in funding to the Indian Health System.
- Please oppose any version of ACA repeal legislation that does not protect these critical provisions.
- The Senate should instead be focused on the urgent need to reauthorize The Special Diabetes Program for Indians (SDPI), which expires at the end of the month.

Of note: In addition to deep concern from Indian Country, a majority of health care, patient, and provider organizations have opposed the proposal, including the American Medical Association, AARP, American Cancer Society Cancer Action Network, the American Diabetes Association, the American Heart Association, the American Lung Association, the Arthritis Foundation, the National Health Council and the March of Dimes. Their concerns center around loss of health insurance for millions of Americans, as well as reduced access to Medicaid and the rollback of advances made by ACA. USET SPF is not affiliated in any manner with these organizations. For an overview of the national implications of the Graham-Cassidy proposal, please see [this piece](#) [linked] from Families USA.

As always, I am happy to answer any questions you may have.

Thank you,

**Liz Malerba** ~ Mohegan Tribe  
*Director of Policy and Legislative Affairs*  
**United South and Eastern Tribes**  
**Sovereignty Protection Fund (USET SPF)**  
400 North Capitol Street, Suite 585  
Washington, D.C. 20001

Office: 202-624-3550  
Cell: 615-838-5906  
Fax: 202-393-5218

[lmalerba@usetinc.org](mailto:lmalerba@usetinc.org)  
[www.usetinc.org](http://www.usetinc.org)