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Civil Rights Leaders Issue Joint Letter to Health Insurers and Health Associations, Urging Action as COVID-19 Public Health Emergency Rules End, Jeopardizing Care for Millions

Washington, D.C. –Yesterday, on the final day of the COVID-19 public health emergency designation, civil rights leaders convened at the White House for a joint meeting with the Office of Public Engagement, the Administrator for the Centers for Medicare and Medicaid Services (CMS), senior Biden administration officials, and representatives of health insurers and health associations to discuss concerns related to Medicaid unwinding, the end of the COVID-19 public health emergency, budget negotiations surrounding Medicaid work requirements, changes in Medicare Advantage Plans, and public awareness around cost-savings tied to the Inflation Reduction Act.

Leaders from the National Council of Negro Women, NAACP, NAACP Legal Defense and Educational Fund, Inc., National Action Network, National Coalition on Black Civic Participation and Black Women's Roundtable, National Urban League, Lawyers' Committee for Civil Rights Under Law, and The Leadership Conference on Civil and Human Rights engaged in an open dialogue with insurers and the administration, emphasizing the need to protect communities of color and find collaborative solutions to ensure people maintain their health insurance, especially during this transition period.

Following the meeting, the civil rights leaders released a letter outlining key actions for insurers to consider, highlighting the urgent need for unified action.

The leaders stated, *"The lives of millions of vulnerable individuals, particularly Black people and other people of color, rely on the actions and commitments of health insurers and health associations. It is imperative that we work together, raise awareness, and take meaningful action to prevent individuals from being unjustly deprived of healthcare coverage and to ensure that families remain protected and healthcare remains affordable for everyone. We are urging insurers to commit to achieving health access, equity, and affordability for all."*

The Joint letter reads as follows:

May 11, 2023

Dear Health Insurers and Health Associations:

The National Council of Negro Women, Inc. (NCNW), NAACP, NAACP-LDF, National Action Network, National Coalition on Black Civic Participation, National Urban League, Lawyers' Committee for Civil Rights Under Law, and The Leadership Conference on Civil and Human Rights, write to share our concerns about and urge your action on a number of issues surrounding the framework of Medicaid, Medicare and the Children's Health Insurance Program (CHIP). These issues include:

- *The loss of the continuous enrollment safeguards within the Medicaid and Medicare frameworks under the Consolidated Appropriations Act, 2023;*
- *The proposed introduction of work requirements for Medicaid eligibility;*
- *The raising of premiums and loss of benefits associated with Medicare Advantage Plans;*
and
- *The need to raise awareness about the cost-saving benefits of the Inflation Reduction Act.*

The highlighted areas are of particular concern to Black people and other people of color who are dependent on these healthcare services and the critical safety net they provide to our communities. As legacy civil rights organizations, we collectively organize around these issues and any system that seeks to disenfranchise our communities. Accordingly, we seek the following consideration from Insurers and the White House:

Medicaid Renewals – *Between now and May 31, 2024, 15 million people on Medicaid and CHIP face potential loss of coverage, as each state's Medicaid agency redetermines eligibility. Of those 15 million, a large percentage are people of color, who are disproportionately impacted by life-threatening medical illnesses and rely on state-sponsored health programs to obtain crucial care. Removing their health care coverage is detrimental to the quality of life for families and communities. Many eligible Medicaid or CHIP recipients may be removed from the program for administrative reasons alone.*

Therefore, we ask insurers to commit to policies and processes that proactively inform people of the need to re-enroll in Medicaid and CHIP and ensure that people who are no longer eligible can smoothly transition to other healthcare coverage, and commit to using the Centers for Medicare and Medicaid Services (CMS) Special Enrollment Guidance (SEP). **We urge insurers and associations to keep enrollees covered by extending the enrollment time, clarifying the enrollment process, and investing in partnership outreach efforts within the community.**

Medicaid Work Determinations – The Congressional Budget Office (CBO) estimates approximately 15 million people would be subject to work requirements for Medicaid eligibility if they are implemented nationwide. Imposing work requirements nationwide will likely lead individuals who either are working or who are eligible for an exemption from the work requirements to lose Medicaid benefits because they cannot effectively navigate the work verification system or seek an exemption. The record low of uninsured people set under the COVID-19 public health emergency would almost instantaneously disappear, creating a ripple effect on the lives of millions. State-level experiments to implement work requirements proved unnecessarily harmful to quality of life and financial stability. In Arkansas, a 2018 law requiring adults aged 30-49 to work 20 hours per week, participate in “community engagement” activities, or qualify for exemption, resulted in coverage loss for 18,000 adults, some of whom were working. Flawed strategies such as this are purported to save billions of dollars by cutting people off from needed benefits, but do not increase employment. Moreover, the human cost is a steep price to pay, as citizens often rack up thousands of dollars in medical bills or choose not to seek treatment for serious illnesses. As such, **we urge insurers and associations to publicly address the adverse effects that would occur if Congress enacts the proposed work requirements.** While the Biden-Harris Administration has promised to veto such legislation, insurers have a responsibility to educate others about the various adverse effects that will take place if the proposed legislation is passed.

Medicare Advantage Plans – Many Medicare Advantage (MA) Plans have lower out-of-pocket costs and offer access to healthcare services not covered under Medicare, such as hospitalization, preventative care, prescription drug coverage, fitness programs such as Silversneakers, vision, hearing and dental services. Cutting benefits and/or raising premiums associated with Medicare Advantage plans will have far reaching effects across communities of color, who depend on the affordable supplemental benefits the plans provide to achieve total 360-degree healthcare support. **Insurers and associations must commit to keeping these programs affordable and ensure the MA plans protect and supplement the well-being of Black and Brown communities by keeping these important benefits in place.**

Inflation Reduction Act Awareness and Education – The Biden Harris Administration has shown its commitment to encouraging affordable healthcare with the introduction of the Inflation Reduction Act (IRA). Prior to the enactment of this law, more than 5 million people with Medicare struggled to afford prescription drugs. As many persons of color benefit from Medicare, a large portion of those struggling are those from Black and Brown communities. While lowering prescription drug costs, the IRA, in conjunction with Medicare Advantage Plans, expands access to free preventative vaccines to more persons of color and vulnerable communities, and, importantly, caps insulin costs. This is critical as Black adults in the United States are twice as likely as their white counterparts to develop diabetes. **We encourage**

insurers and associations to advise their benefit holders on the IRA and the benefits it affords.

The lives of millions of Americans depend on you taking a stance for health equity.

Sincerely,

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President & CEO, NCNW

Derrick Johnson
President & CEO, NAACP

Janai Nelson
President and Director-Counsel, NAACP Legal Defense and Educational Fund, Inc.

Rev. Al Sharpton
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