

# FRIDAY ALERT



**Alliance for Retired Americans**

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## Health Care Likely to be a Factor in Fight Over Next Supreme Court Justice

A lawsuit over the Affordable Care Act (ACA), filed in February by [twenty state Republican attorneys general](#), is becoming an issue in the confirmation of the next appointee to the U.S. Supreme Court. The suit would strip away popular ACA provisions aimed at protecting patients with pre-existing conditions, and the current administration has decided not to defend those protections in court.

The lawsuit argues that the law's protections were supposed to work in tandem with the mandate that individuals have health insurance. Because the Department of Health and Human Services (HHS) is no longer enforcing the mandate, they say, insurers no longer have to sell policies to everyone regardless of medical status. With the recent retirement of Justice **Anthony Kennedy** from the Supreme Court, the lawsuit is gaining even more attention. The case could reach the Supreme Court soon, meaning that the next justice could vote to take away coverage for pre-existing conditions.

Democratic senators are expected to ask the nominee if he or she supports the administration's move. Most Supreme Court appointees will not answer questions regarding a potential case; however, senators will also look back on previous rulings and writings to give an indication on a potential ACA vote. According to an HHS report, more than half of all Americans have at least one pre-existing condition, including 75 percent of people ages 45 to 54 and 84 percent of people between the ages of 55 to 64.

In 2015, the President [vowed](#) to only appoint a justice who would overturn the ACA. His short list of candidates includes a variety of judges who have in the past indicated opposition to the law and its merits.

The votes of Senators **Susan Collins** (ME), **Joe Donnelly** (IN), **Heidi Heitkamp** (ND), **Joe Manchin** (WV) and **Lisa Murkowski** (AK) will be critical. According to a recent [poll](#), 65% of all Americans say that a candidate's support for coverage of pre-existing conditions is important to their vote. [Another poll](#) found that 93% of voters will consider a candidate's position on pre-existing condition protections before casting a ballot.

"The president's Supreme Court appointment will have a lasting effect on this country and its laws," said **Robert Roach Jr.**, President of the Alliance. "Elections have consequences. That is why we need to register voters, educate them and be sure to go to the polls."

## Drug Corporations Continue to Raise Prices

In May, **President Trump** stated that drug companies would soon announce massive price cuts, but consumers have continued to see prices for their medications rise.

Both Pfizer and Bayer have raised prices well above the national inflation rate of 3%. A recent report found that [prices for over 100 drugs](#) rose in the month of June alone, with an average increase of 31.5%. For Pfizer, this is the second time prices have jumped this year. The company also imposed 9% jumps in January, resulting in a [20% increase](#) on some of their drugs in just six months. Numerous cancer treatment drugs produced by Bayer and Novartis have seen prices increase by \$500 to \$1,000 for patients in just a few months.

U.S. Department of Health and Human Services Secretary **Alex Azar** recently testified before Congress and expressed his hope that companies would “exercise restraint” in mid-year price hikes, a much different message than what the president delivered in May. Some health policy experts say that the administration’s lack of follow-through and clear rules will allow the drug companies to continue hiking prices despite high profits.

“Older Americans are seeing the prices for life saving medications rise despite the administration’s promises,” said **Joseph Peters Jr.**, Secretary-Treasurer of the Alliance. “Actions such as using the power of Medicare to negotiate prices, and stopping outrageous price gouging practices of drug corporations, will hold these companies accountable and lower costs for everyone.”

## State Medicaid Work Requirements Face Backlash

A federal judge last week blocked Kentucky from implementing its newly approved work requirements for Americans receiving Medicaid benefits, [ruling](#) that HHS never adequately considered whether the requirements would actually help the state provide medical assistance to residents.

Just hours after the decision was handed down, Kentucky Governor **Matt Bevin** [eliminated vision and dental benefits](#) to nearly half a million Medicaid enrollees in the state. The governor said that the state could no longer afford the benefits, and he had to eliminate them to continue paying for Medicaid expansion. The move was blasted by health care providers as callous, harsh and unnecessary.

While the ruling is specific to Kentucky, it could affect other states’ plans to implement work requirements. Arkansas, New Hampshire and Indiana are continuing their [implementation plans](#) for later this year and into 2019, but the president’s efforts to establish work requirements for Medicaid beneficiaries in more states could be at risk. Medicaid beneficiary advocates could file suits similar to the Kentucky case in their states.

Establishing work requirements could remove thousands of beneficiaries from the program. In Kentucky alone, over 10,000 people could lose medical coverage under the requirements.

“Medicaid is crucial to ensuring that lower-income individuals and the disabled have access to health care,” said Alliance Executive Director **Richard Fiesta**. “Establishing strict work requirements is not helping them, it is only guaranteeing a loss of coverage.”

## Obituaries: Alliance Loses Two Friends, Mary Kuhlman and James Wood

### [Mary Ikerd Kuhlman \(1942-2018\)](#)

**Mary Ikerd Kuhlman**, former Executive Assistant to the Alliance's President and Executive Director, passed away on June 14 after a brief illness. Mary was a beloved member of the national Alliance family for many years, working loyally as Executive Assistant to both President **George Kourpias** and Executive Director **Ed Coyle**. She enjoyed traveling, antiques and spending time with her family.



Her love for her family extended beyond her husband, **Marion**, and her own children; Mary reached out to children who needed a place to stay, or simply needed someone to show them they were loved. Mary and Marion worked hard to provide for their family.

“Her dedication to retiree issues was exemplified through her work with the Alliance and, previously, the National Council of Senior Citizens,” said Executive Director Fiesta. “She will be greatly missed. All of us who knew and worked with her will always remember the warmth and friendship she brought to us every day, as well as her great devotion to her family.”

### [James G. Wood \(1945 - 2018\)](#)

**James G. Wood**, former President of the New York State Alliance, passed away on June 28. His friends and family said he had a unique talent for making people feel special.



Jim served as the President of the Alliance's New York State chapter after a lifetime of dedication to the labor movement. He began his career as a teacher, and eventually became the director of Field and Legal Services of the New York State United Teachers, and finally their Executive Director. He was praised for his work with unions and received numerous awards for his devotion. Throughout his life he stressed inclusion.

“Jim was known for his larger than life personality, and his ability to make anyone smile,” said Fiesta. “We are thankful for his leadership of the New York State Alliance and for his lifelong commitment to the labor movement.”