

FRIDAY ALERT



Alliance for Retired Americans

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Texas Judge's Ruling Endangers Health Care Access for Millions of Americans

On Friday, U.S. District Court Judge Reed O'Connor struck down the Affordable Care Act (ACA), ruling in favor of [20 Republican plaintiffs](#) who challenged the health law's constitutionality earlier this year. Judge O'Connor argued that the passage of last year's tax cuts, which included a provision eliminating the ACA's tax penalty for individuals without health insurance, invalidated the rest of the legislation.

Several key Democrats have [vowed to appeal](#) the ruling and Senate Minority Leader Chuck Schumer is also [pushing for a floor vote](#) to intervene in the case and defend the law. However, if the ruling is upheld, important health coverage and protections for older Americans would be eliminated.

Should the ACA be declared unconstitutional, insurers would again be able to deny coverage for people with pre-existing conditions, charge higher premiums based on health status or gender, revoke coverage when someone gets sick or impose annual or lifetime limits. More than 52 million people, including most people over the age of 50, have at least one pre-existing condition.

Medicare beneficiaries stand to lose the free annual wellness visits and screening Insurers that are guaranteed by the ACA, and the phase-out of the Medicare "doughnut hole" for prescription drugs would affect millions of retirees.

"The vast majority of Americans support and value the protections provided by the ACA," said **Richard Fiesta**, Alliance Executive Director. "We will continue to defend the ACA against attacks while pressing Congress to do more to strengthen Medicare and make quality health care affordable for all Americans."

Thirty Percent of Americans Report Delaying Medical Treatment Due to Costs

A [new Gallup poll](#) shows that about three in 10 Americans decided to put off medical treatment because of high costs this year. The majority of those who delayed care were uninsured patients but nearly one-quarter of them were Medicare or Medicaid beneficiaries.



Previous research indicates that seniors generally face financial barriers when accessing health care. Nearly [one quarter](#) of older Americans reported skipping a doctors' visit, treatment, refilling a prescription, and/or skipped medication doses due to costs in 2017. Medicare coverage is often not enough to ease the burden. According to an [analysis](#) from the Kaiser Family Foundation, Medicare households typically spend more on health care than non-Medicare households do.

Prescription drug costs are particularly worrisome for seniors. On average, prices for the 20 most commonly prescribed drugs for seniors [increased by 12 percent](#) over the past five years -- nearly 10 times the average annual rate of inflation. Out-of-pocket costs have also skyrocketed, with the [yearly average rising](#) 40 percent from 2011 to 2015 for Medicare Part D beneficiaries.

Experts [estimate that](#) seniors enrolled in Medicare will spend an average of 50 percent of their Social Security income on health care by 2030.

"It is outrageous that any senior has to choose between getting the care they need and being able to put food on the table," said Alliance President **Robert Roach, Jr.** "Lawmakers must take action now to ensure that all Americans have access to quality, affordable healthcare and expand Social Security to keep up with the rising cost of living."

Help Us Fight for Retirees in 2019

Republican leaders like Mitch McConnell are [already using](#) the federal deficit, which was increased by last year's tax cuts, as an excuse to tackle "entitlements" next year. As we know, that is code for Medicaid, Medicare and Social Security.

Plus, with Democrats taking control of the House next year, it will be important for us to seize the opportunity and raise awareness about our issues.

But we can't do it alone. Please help us hit the ground running in 2019 by [donating to the Alliance](#). Every cent raised will ensure that retirees' voices are heard in Washington.

Unbridled Assisted Living Growth Threatens Safety of Dementia Patients

Assisted living facilities are increasingly taking in dementia patients even though they are often not equipped to care for them, according to a [new analysis](#) from *Kaiser Health News*.

Nearly 40 percent of assisted living residents have been diagnosed with Alzheimer's disease or another type of dementia, and about a quarter of the more than 30,000 assisted living facilities in the U.S. either house dementia patients exclusively or have special memory care units to serve these patients.

Unlike nursing homes, assisted living facilities are not overseen by the federal government, so regulations are decided at the state level. A majority of states call for flexible staffing levels for assisted living, while only 19 states have specified minimum staff-to-resident ratios, which is better suited to caring for those with dementia.

According to *KHN's* investigation, a lack of consistent regulation has created unsafe environments in assisted living across the country. Officials frequently cite facilities for violations like failing to ensure that residents don't wander and failing to make sure that staff have adequate training. Overworked staff who aren't properly trained often turn to psychotropic drugs to calm aggressive residents, even though the use of such drugs is often unjustified and can actually be dangerous for patients. Assisted living facilities also tend to have smaller fines when they do receive safety citations because of loose regulations, further exacerbating the issue.

"It is clear that those who work in the assisted living field need to take action to ensure that they can provide better care to seniors with dementia." said Alliance Secretary-Treasurer **Joseph Peters, Jr.** "They should not continue to accept vulnerable patients without addressing these problems."

Happy Holidays!

The Alliance will be closed for the holidays from December 22, 2018 - January 2, 2019. For news updates during that time and all year long, please like our Facebook page:

www.facebook.com/retiredamericans

We wish you and your family a safe and enjoyable holiday season!