

## University of Virginia Center for Politics



### Talking Turkey: Health Care

#### What is public health policy?

Public health policy encompasses the laws, regulations, actions, and decisions that work toward and promote society's health goals. Public health policy influences a variety of sectors like health care, insurance and even education. ([Columbia University Irving Medical Center](https://www.publichealth.columbia.edu/news/public-health-policy-definition-examples-more) ; <https://www.publichealth.columbia.edu/news/public-health-policy-definition-examples-more>)

#### General Facts

##### Overview of public health policy on the national level:

- 1) **Affordable Care Act (ACA; Obamacare):** passed by the Obama Administration in 2010, major piece of contested federal legislation focused on... ([HealthCare.gov](https://www.healthcare.gov/glossary/affordable-care-act/) ; <https://www.healthcare.gov/glossary/affordable-care-act/>)
  - a) making affordable health insurance available to more people through subsidies that lower costs for households
  - b) expand the Medicaid program to cover more adults
  - c) support innovative medical care delivery methods to cut health care costs

##### Updates:

- 2014: Republicans begin legal challenges against ACA, citing strong opposition to it; Former President Donald Trump would go on to reflect this sentiment in 2016 ([Axios](https://www.axios.com/2023/11/26/trump-obamacare-affordable-care-act) ; <https://www.axios.com/2023/11/26/trump-obamacare-affordable-care-act>)
- 2021: The Supreme Court upheld the ACA in California v. Texas, keeping it alive
- 2023: Biden-Harris Administration announced a record-breaking 16.3 million people signed up for healthcare in ACA marketplaces from November 1, 2022 to January 15, 2023 ([US Dept. of Health and Human Services](https://www.hhs.gov/about/news/2023/01/25/biden-harris-administration-announces-record-breaking-16-3-million-people-signed-up-health-care-coverage-aca-marketplaces-during-2022-2023-open-enrollment-season.html) ; <https://www.hhs.gov/about/news/2023/01/25/biden-harris-administration-announces-record-breaking-16-3-million-people-signed-up-health-care-coverage-aca-marketplaces-during-2022-2023-open-enrollment-season.html>)

**Opposition to ACA:** Republicans and Donald Trump have spearheaded the fight to repeal the ACA due to its high costs and inefficiencies; they have taken the ACA to the Supreme Court three times citing its legal challenges; however, in recent years Republicans have not been as concerned about health care policy ([Politico](https://www.politico.com/news/magazine/2022/04/26/gop-obamacare-aca-health-care-00027585), [Axios](https://www.axios.com/2023/09/28/republican-debate-health-costs-insurance-pharma) ; <https://www.politico.com/news/magazine/2022/04/26/gop-obamacare-aca-health-care-00027585> , <https://www.axios.com/2023/09/28/republican-debate-health-costs-insurance-pharma>)

- 2) U.S. spending on health care increased in 2022; currently it spends \$13,493 per person. Its major public health care programs are... ([CMS.gov](https://www.cms.gov/data-research/statistics-trends-and-reports/national-health-expenditure-data/historical#:~:text=The%20data%20are%20presented%20by,For%20additional%20information%2C%20see%20below.) ; <https://www.cms.gov/data-research/statistics-trends-and-reports/national-health-expenditure-data/historical#:~:text=The%20data%20are%20presented%20by,For%20additional%20information%2C%20see%20below.>)

- a) **Medicaid:** entitlement program where anyone meeting requirements can enroll; provides health coverage for low-income citizens, primarily children and adults; also provides federal financial support for states' Medicaid programs; Medicaid covers 'mandatory' services (i.e. hospital care, x-ray services, home health services) and child services (Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit) ([Center on Budget and Policy Priorities](#) ; <https://www.cbpp.org/research/policy-basics-introduction-to-medicaid>)
- b) **Children's Health Insurance Program (CHIP):** partnership between federal + state gov'ts to provide low-cost health coverage to children in families that do not qualify for Medicaid ([Benefits.gov](#) ; <https://www.benefits.gov/benefit/607>)
- c) **Medicare:** federal health insurance program for those aged 65+ (there are exceptions for those with certain disabilities/conditions); includes many different [coverage plans](#), and oftentimes has been cited for its complexity ([Medicare.gov](#) ; <https://www.medicare.gov/basics/get-started-with-medicare>)
- d) **Veterans Administration (VA):** houses America's largest integrated health care system (Veterans Health Administration), serving 9 million Veterans yearly, providing care at 1,321 health care facilities, including 172 medical centers + 1,138 outpatient sites ([Va.gov](#) ; <https://www.va.gov/health/aboutVHA.asp>)

**Questions people might ask about the topic:**

1. **Why does federal health care policy matter?** [Goal: Use health policy to prevent disease and improve health](#) ; <https://health.gov/healthypeople/objectives-and-data/browse-objectives/health-policy#:~:text=Evidence%2Dbased%20health%20policies%20can,water%20can%20improve%20oral%20health.>
2. **Is the ACA still in effect?** Yes - [Affordable Care Act History Timeline](#) ; <https://www.wnchealthinsurance.com/affordable-care-act-history/>
3. **What is the difference between Medicare and Medicaid?** [What's the difference between Medicare and Medicaid?](#) ; <https://www.hhs.gov/answers/medicare-and-medicaid/what-is-the-difference-between-medicare-medicaid/index.html>
4. **Is abortion protected at the federal level?** No - [After Roe Fell: Abortion Laws by State](#) ; <https://reproductiverights.org/maps/abortion-laws-by-state/>
5. **What are federal subsidies for health insurance?** [Federal Subsidies for Health Insurance: 2023 to 2033](#) ; <https://www.cbo.gov/publication/59273>
6. **Are at-home COVID tests covered in ACA health plans?** [Will ACA-compliant health plans cover the cost of at-home COVID tests?](#) ; <https://www.healthinsurance.org/faqs/will-aca-compliant-health-plans-cover-the-cost-of-at-home-covid-tests/>
7. **How do I know if I am eligible for a federal health care plan?** [How to apply & enroll](#) ; <https://www.healthcare.gov/apply-and-enroll/get-ready-to-apply/>
8. **Does the United States have universal healthcare?** No - [How does universal health coverage work?](#) <https://www.commonwealthfund.org/international-health-policy-center/system-features/how-does-universal-health-coverage-work#:~:text=The%20United%20States%20does%20not%20have%20universal%20health%20insurance%20coverage.>

## **Resources:**

### **Office of Health Policy (HP)**

<https://aspe.hhs.gov/about/offices/hp>

The Office of Health Policy conducts research and analyses for a number of topic areas (i.e. behavioral health, health policy, Medicare) to provide information for the Assistant Secretary for Planning and Evaluation.

### **U.S. Department of Health and Human Services**

<https://www.hhs.gov/programs/index.html>

HHS administers more than 100 programs across its operating divisions. HHS programs protect the health of all Americans and provide essential human services, especially for those who are least able to help themselves. HHS provides information on a number of topics like health insurance options, mental health, Head Start school readiness program locations and poverty guidelines.

### **Health Policy - Healthy People 2030**

<https://health.gov/healthypeople/objectives-and-data/browse-objectives/health-policy>

<https://health.gov/healthypeople/objectives-and-data/browse-objectives>

Healthy People 2030 focuses on keeping people safe and healthy through laws and policies at the local, state, territorial, and federal level. It covers numerous objectives (i.e. health conditions, health behaviors, social determinants of health) and disseminates information and data regarding each.

### **The Constitution and Beyond**

*As it stands, healthcare is [not a right explicitly afforded](#) to the people under the federal Constitution. However, there are important Supreme Court precedents ():*

#### **1. Roe v. Wade (1973)**

The Court held that under the Fourteenth Amendment's "right to privacy," a woman's choice whether to have an abortion is protected. This decision would later be overturned in Dobbs v. Jackson 50 years later. ([Oyez](#) ; <https://www.oyez.org/cases/1971/70-18>)

#### **2. Planned Parenthood of Southeastern Pennsylvania v. Casey (1992)**

The Court reaffirmed Roe v. Wade in this decision – but it imposed a new standard to determine the validity of laws restricting abortions. This decision would later be overturned in Dobbs v. Jackson 30 years later. ([Oyez](#) ; <https://www.oyez.org/cases/1991/91-744>)

#### **3. Dobbs v. Jackson Women's Health Organization (2022)**

The Court overturned Roe v. Wade and Planned Parenthood v. Casey in a landmark decision, stating that the Constitution does not confer a right to abortion. ([Oyez](#) ; <https://www.oyez.org/cases/2021/19-1392>)

#### **4. Burwell v. Hobby Lobby Stores, Inc. (2014)**

This decision held that under the Religious Freedom Restoration Act of 1993, for-profit companies can deny its employees health coverage of contraception to which employees would otherwise be entitled based on the religious objections of the company's owners. The Court held Congress intended the RFRA to be read as implying to companies, which are made up of individual members. ([Oyez](#) ; <https://www.oyez.org/cases/2013/13-354>)

### **Political Parties and their views on Healthcare Policy**

1. **Abortion:** the right to abortion has been an increasingly-polarized, hot-button issue in elections following the Dobbs decision in the summer of 2022
  - a. **Republican view:** historically against the legalization of abortion; however, in the 2024 Presidential election, Republicans are still trying to figure out how to approach the issue ([AP News](#) ; <https://apnews.com/article/roe-biden-abortion-reproductive-rights-election-3d184285cc6edbe733311b26445db2a0>)
  - b. **Democrat view:** historically in favor of the legalization of abortion; this has become a key issue of the Biden 2024 Presidential campaign
2. **Affordable Care Act:** historically, the ACA has lacked a majority of popular support, and has been home to several legal challenges and backlash from the Republican party ; now it is viewed more favorably amid enrollment hitting record levels in 2024 ([NIH](#) , <https://pubmed.ncbi.nlm.nih.gov/25731135/> ; [WaPo](#) , <https://www.washingtonpost.com/health/2024/01/24/obamacare-record-enrollment-biden/> )
  - a. **Republican view:** historically have initiated several fights against Obamacare; Presidential nominee Donald Trump has vowed to repeal the program if elected
  - b. **Democrat view:** generally in favor of universal healthcare; President Biden has used the ACA as a central component of his Presidential platform and campaign
3. **Universal vs privatized healthcare:** slim majority of population (57%) believe in universal healthcare; universal healthcare is also known as a single payer healthcare system, where a single public or quasi-public agency would fund healthcare for all residents under the same health insurance plan; private health insurance is coverage by a health plan provided through an employer or union, purchased by an individual from a private health insurance company; currently, the US does not have universal health insurance coverage ([Harvard Health Publishing](#) , <https://www.health.harvard.edu/blog/single-payer-healthcare-pluses-minuses-means-201606279835> ; [US Census Bureau](#) , <https://www.census.gov/topics/health/health-insurance/about/glossary.html#:~:text=Private%20health%20insurance%20is%20coverage,company%2C%20or%20coverage%20through%20TRICARE.> ; [Gallup](#) , <https://news.gallup.com/poll/468401/majority-say-gov-ensure-healthcare.aspx> )
  - a. **Republican view:** largely in favor of privatized healthcare system, do not believe that healthcare coverage is a responsibility of the government (71%)
  - b. **Democrat view:** largely in favor of universal healthcare (72%), see ACA as a step toward universal healthcare ([Democrats.org](#) ; <https://democrats.org/where-we-stand/party-platform/achieving-universal-affordable-quality-health-care/>)
4. **individual coverage health reimbursement arrangements (ICHRA):** as a company, employers can offer their employees an individual coverage Health Reimbursement Arrangement (HRA) to reimburse medical expenses (like premiums, deductibles and copayments) instead of offering a traditional job-based health plan ([HealthCare.gov](#) ; <https://www.healthcare.gov/job-based-help/ichra/>)
  - a. **Republican view:** ICHRA were introduced during the Trump administration and are a popular provision among Republicans ([Forbes](#) ; <https://www.forbes.com/sites/sallypipes/2023/10/16/this-healthcare-reform-could-finally-bring-democrats-and-republicans-together/?sh=edb517c43cbd>)
  - b. **Democrat view:** have not taken major stances against ICHRA but are generally in favor of universal healthcare models as opposed to this privatized approach

## **Citizen groups active in Health Policy**

### **1. Public Citizen**

<https://www.citizen.org/topic/health-care/>

Public Citizen advocates for Medicare for All, stronger oversight of physicians and safe clinical trials. They conduct research, report news and produce fact sheets on health policy.

### **2. Campaign for Tobacco-Free Kids**

<https://www.tobaccofreekids.org/about/>

Tobacco-Free Kids is a nonprofit, advocacy organization dedicated to reduce tobacco use both in the U.S. and abroad. Their work has led to an 89% decrease in youth smoking since 1996, and they have helped to pass new tobacco control laws in 59 countries since 2007.

### **3. National Nurses United**

<https://www.nationalnursesunited.org/about>

NNU is the largest union and professional association of registered nurses in the U.S. They aim to advocate for health care justice and secure mandatory health and safety standards in the workplace.

### **4. Planned Parenthood Action Fund**

<https://www.plannedparenthoodaction.org/about-us>

PPAF advocates for access to sexual health care and reproductive rights. PPAF serves the public through education, mobilization of voters and promoting policies that help people access healthcare.

## **Talking Points with your Child - Get the discussion started!**

*Healthcare policy is an important and unique topic to discuss because there are no explicit rights for it guaranteed by the Constitution. Currently, there are many polarizing, partisan debates taking place on the national level:*

- If abortion should be legal at the national level
- Who should pay for healthcare (the government, employers, families)
- If healthcare should be universal, or if it should be privatized
  - If the ACA should be repealed, or protected
- Where the costs of healthcare should go; if healthcare should be more expansive (larger costs) or reduced (cutting costs)
- Why healthcare spending is continually increasing, yet the U.S.'s rankings stay low  
(FREOPP ; <https://freopp.org/united-states-11-in-the-2022-world-index-of-healthcare-innovation-7175b47ab5d7>)

## **Links for Additional Info**

- **More information on healthcare Supreme Court cases**

<https://www.britannica.com/event/Affordable-Care-Act-cases/Certiorari-petitions>

- **Polling on national issues (inflation, health care affordability, drug addiction + gun violence)**

<https://www.pewresearch.org/politics/2023/06/21/inflation-health-costs-partisan-cooperation-among-the-nations-top-problems/>

- **More information on legal challenges to the Affordable Care act**

<https://www.ehealthinsurance.com/resources/affordable-care-act/understanding-the-aca>

- **More information on abortions by state post-Dobbs**

<https://www.plannedparenthoodaction.org/abortion-access-tool/US>