

Health Law and Policy Update:

November 1, 2013

Open enrollment continues

Individuals and small businesses can now shop for health insurance through [Connect for Health Colorado](#), Colorado's new health insurance marketplace. Coverage begins January 1, 2014.

This week's updates:

- [Federal insurance marketplace experiences major setbacks](#)
- [CCLP and CCJRC lead group to bring coverage to criminal justice population](#)
- [CCLP's new resource concisely explains benefits of Obamacare](#)
- [Questions about health care? CCLP can help!](#)

Federal insurance marketplace experiences major setbacks

During the past two weeks, it would have been next to impossible to miss the extensive press coverage concerning serious glitches and holdups to the federal insurance marketplace housed at www.healthcare.gov. The New York Times [reported](#) Thursday that U.S. Department of Health and Human Services (HHS) Kathleen Sebelius told Congress that even though HHS felt fully ready to launch the massive insurance website October 1, it is now clear they were not prepared. Significant issues continue to prevent individuals and families from enrolling in coverage. Secretary Sebelius has not yet shared enrollment numbers, stating that the current data is unreliable.

Setting aside the various reasons that contributed to the current challenges with the federal marketplace (including allegations of inadequate testing, poor procurement, programming errors with account creation functions, and the list goes on), CCLP believes it is important to note that the Congress never intended for the federal government to operate marketplaces in the majority of states. When Congress passed the Patient Protection and Affordable Care Act (ACA) in 2010, it was expected that nearly all states would opt to develop their own state-based insurance marketplaces. But due to legal challenges (such as *NFIB v. Sebelius*), short timelines, and political pushback, only 17 states -- including Colorado -- opted to develop state-based insurance marketplaces. Consequently, the federal government was required to amass the necessary resources to develop an insurance marketplace that could function in 33 states (including necessary IT infrastructure and interfaces).

Colorado's experience, while not without some hiccups, has provided a number of significant success stories to date. The Colorado Department of Health Care Policy and Financing [announced](#) last week that nearly 26,000 Coloradans are already on track to be enrolled in Medicaid January 1 under the expansion. This represents over

16 percent of the 160,000 individuals expected to enroll in Medicaid as part of the expansion.

Connect for Health Colorado - Colorado's health insurance marketplace - [announced](#) October 31 that more than 50,000 customer accounts have been created and 3,164 individuals completed enrollment.

CCLP and CCJRC lead group to bring coverage to criminal justice population

The Colorado Center on Law and Policy and the Colorado Criminal Justice Reform Coalition (CCJRC) are working together to help make health coverage more accessible to tens of thousands of Coloradans involved in the criminal justice system. Through this joint effort, CCLP and CCJRC have brought together stakeholders and policymakers from the health care and criminal justice communities to discuss strategies to ensure that people involved in the criminal justice system have access to coverage. Because so many are adults without dependent children, most individuals on probation and parole, as well as elsewhere in the criminal justice system, had been previously ineligible for Medicaid.

Starting in January, individuals and families in Colorado making less than 138 percent of the federal poverty level (\$15,857 a year for an individual) are eligible for Medicaid. Previously, Medicaid only covered parents, their children, and those with disabilities. Colorado had recently expanded Medicaid to limited number of adults without dependent children but had placed a cap on the number of individuals who could receive benefits. People above 138 percent of the Federal Poverty Level are eligible for advance premium tax credits for the purchase of insurance. Those premium tax credits are available through Colorado's health insurance marketplace, Connect for Health Colorado.

Health care coverage is especially vital to populations involved in the criminal justice system. Many individuals suffer from untreated mental illnesses or addictions that make it more likely that they will reoffend and end up in the criminal justice system again. Getting these individuals covered and connected to health care providers can be an important step on the road to recovery and rehabilitation.

Over the next several weeks, CCLP and CCJRC will continue to work with criminal justice officials and health care policy makers to streamline enrollment and provide individuals in the criminal justice system with the tools they need to enroll in health coverage.

CCLP's new resource concisely explains benefits of Obamacare

CCLP has released a new, two-sided [pamphlet](#) explaining many of the benefits of the Affordable Care Act. The pamphlet explains how the health reform law has already improved Coloradans health care coverage and how individuals and families will benefit as more coverage improvements go online in January. The pamphlet also provides important information about applying for coverage through [Connect for Health Colorado](#), our state's new health care marketplace, as well as [Medicaid](#). CCLP encourages individuals and groups to use this pamphlet when communicating with Coloradans about what they can expect from the new law.

The pamphlet is available for download on CCLP's [website](#).

Questions about health care? CCLP can help!

CCLP is available to speak to groups of all sizes about health reform, health insurance, Medicaid, and other health issues important to Coloradans. Contact Kyle Brown (kbrown@cclponline.org; 303.573.5669 x 304) for more information.