



February 2, 2017

The Honorable Greg Walden  
Chairman, Committee on Energy and  
Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515

The Honorable Frank Pallone, Jr.  
Ranking Member, Committee on Energy  
and Commerce  
2322A Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Walden and Ranking Member Walden:

The National Partnership for Women & Families (National Partnership) represents women across the country who rely on the Affordable Care Act (ACA) for access to essential health care services and who are counting on continued successful implementation of the law. The ACA is working and has already helped millions of women gain access to both health coverage and care. We are deeply troubled by Congressional efforts to repeal this groundbreaking and essential law. Any vote to repeal the law – or significant portions of it – puts the health, wellbeing and economic security of women in dire jeopardy. This is especially true in the absence of any meaningful proposal that ensures continued access to the ACA's women's health protections and coverage gains.

Repealing the ACA risks going back to a time when women struggled to find affordable health coverage in the individual market, were routinely charged more than men for the same policies, and often found that health coverage did not cover their essential health care needs. This effort, combined with Congressional efforts to defund and close Planned Parenthood health centers, demonstrates a full-fledged attack on women's lives and health.

For millions of women, repealing the ACA means stripping away their health insurance and leaving them without affordable coverage options. Since the enactment of the ACA, 9.5 million previously uninsured women have gained affordable, comprehensive health coverage.<sup>1</sup> For 2016, 6.8 million women and girls chose health coverage through the health insurance marketplace.<sup>2</sup> If the law is repealed, millions of women and families will lose their tax credits and cost-sharing reductions. For many, this will force them to go without health insurance and many will not be able to afford essential care.

Even women and families who could continue to afford health insurance could find themselves without the important protections they have under the ACA. The ACA ended outrageous, predatory practices that allowed insurers to refuse to cover women who had breast cancer or cesarean sections, received medical treatment due to domestic violence or who have chronic conditions like high blood pressure or diabetes. Now, under the law, women can no longer be denied coverage just because they are sick or have a pre-existing condition – nor can they be charged more because of their health status. The ACA also

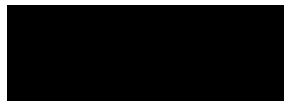
prohibits plans in the individual and small group markets from charging women higher premiums simply because of their gender (a common practice before the ACA called “gender rating”).

To date, proposals for replacing the ACA have fallen short of ensuring that women and families would be guaranteed these same protections if the ACA was repealed. For example, the “Preexisting Conditions Protection and Continuous Coverage Incentive Act of 2017” offers a hollow promise that individuals will retain the same level of protection against discrimination on the basis of health status or gender that they currently enjoy. While this bill provides that any legislation to repeal the ACA must include a bar on exclusions for pre-existing conditions, it noticeably does not prohibit medical underwriting for health status or gender. Thus, while coverage may be *available* to people with pre-existing conditions, that coverage will likely only be offered at high premium rates— making health coverage unaffordable or inaccessible to those who need it most. The bill would also result in a return to the days when women were consistently charged more for health insurance than men simply because of their gender.

In addition to ensuring the availability of affordable coverage, the ACA also sets nationwide standards for benefits that women and families can expect their health insurance to offer. For example, women purchasing insurance in the individual or small group markets are guaranteed access to critical essential health benefits including maternity and newborn care. The ACA also requires most health insurance plans to cover vital preventive services, including well-woman visits, birth control, and interpersonal and domestic violence screening and counseling, without copayments, deductibles or other out-of-pocket costs. These are just some of the many protections that have helped improve the health and lives of women across the country.

Repealing the ACA would leave women and families without the quality, affordable health care they need. It not only endangers advances in women’s health care access, but also puts women’s economic security at risk. We urge Congress to deeply consider the effects repeal would have on individuals and families across the country, and to end all efforts to repeal this groundbreaking and successful law.

Sincerely,

A solid black rectangular box redacting the signature of Debra L. Ness.

Debra L. Ness, President

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1 U.S. Department of Health and Human Services. (3 March 2016). *Health Insurance Coverage and the Affordable Care Act 2010-2016*. Retrieved 24 January 2017, from <https://aspe.hhs.gov/sites/default/files/pdf/187551/ACA2010-2016.pdf>

2 U.S. Department of Health and Human Services. (14 June 2016). *The Affordable Care Act: Promoting Better Health for Women*. Retrieved 31 January 2017, from <https://aspe.hhs.gov/sites/default/files/pdf/205066/ACAWomenHealthIssueBrief.pdf>