

Obamacare Replacement May Look Like Existing Law, Without Mandate

It's hard to predict exactly what President-elect Donald Trump wants in a new health care law, but a repeal of the Affordable Care Act (ACA) is rapidly on track in Congress, according to a report published on the website of **Androvett Legal Media & Marketing**. Dallas health care lawyer **Jeff Drummond** of **Jackson Walker LLP**, who represents doctors, hospitals and other health care facilities, has some predictions about what to expect:

“Repeal is almost entirely certain, and will be near immediate with the new Congress. It will be done using the same reconciliation technique that allowed ACA to pass in the first place, thus avoiding the filibuster and the need for 60 votes in the Senate.

“The changes likely will be phased in over time, with very few, if any, immediately repealed. That will allow the new Congress time to fashion replacement parts. And those replacement parts will mostly resemble the old law.

“For example, the new law will allow insured parents to keep their children on their policies until age 26. It also will likely preserve the ban on lifetime limits.

“The new law will drop the individual mandate to buy health insurance. But coverage for pre-existing conditions will be more like the portability requirement under the Health Insurance Portability and Accountability Act (HIPAA). That law requires insurers to accept people with existing health problems only when they previously had coverage, such as from their current or former employer. So people with pre-existing health conditions now covered under individual policies through the ACA would be eligible for coverage under the new

law, but individuals who did not previously have coverage would be subject to potential exclusion for pre-existing conditions.”

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