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Trump win a threat to Oregon's Medicaid, but there's a powerful option

A section of the ACA allows the Secretary of Health & Human Services to exempt individual states from selected ACA requirements, guest columnist Sam Metz argues.

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President Trump threatens Oregon with destruction of its Medicaid program. But he has one powerful option to improve it.

Oregon is uniquely threatened among states because Oregon's Medicaid (the Oregon Health Plan or OHP) already faces financial extinction.

Oregon added more than 380,000 Medicaid patients under the aegis of the Affordable Care Act. Now we confront an annual shortfall of \$350 million to pay for them, a shortfall rising to \$500 million in 2020.

With defeat of Measure 97 and no legislative agenda to create new tax revenues, Oregon needs more federal assistance to avoid dropping those Oregonians to their uninsured, pre-ACA, status.



CATHY CHENEY | PORTLAND BUSINESS JOURNAL

Dr. Sam Metz has been a proponent of universal health care coverage.

To submit a guest column on a health-related topic, contact Elizabeth Hayes at ehayes@bizjournals.com

If President Trump demands reduced federal spending, Congressional Republicans will not offer more Medicaid support for us, or anyone else.

Additionally, the OHP received \$1.9 billion from the Obama-appointed Secretary of Health & Human Services, conditional on reducing our rate of rise of Medicaid spending. The new Trump-appointed Secretary of HHS is free to demand repayment at any time.

It could get worse. With President Trump's urging, Congress could increase the financial burden on Medicaid patients, reduce authority of the Food and Drug Administration, defund agencies evaluating cost-effective health care, and prohibit all federally funded program from negotiating drug prices — not just Medicare.

These steps would decimate affordable care for Medicaid patients in Oregon.

Repeal of the ACA has implications too mind-bending to discuss here.

Thankfully, President Trump has one powerful and positive option. Section 1332 of the ACA, a section created by Sen. Ron Wyden of Oregon, allows the Secretary of HHS to exempt individual states from selected ACA requirements.

The applicant state must propose a statewide health care plan providing comparable care with no additional federal funds. President Trump has the power to issue an executive order, explicitly authorizing the Secretary to exempt states not only from the ACA, but also from ERISA and applicable portions of Medicaid. All three laws currently prevent any state from enacting effective health care reform.

This executive order honors Republican principles of liberating states from regressive federal legislation. It also honors our bipartisan goal providing better care to more people for less money.

What happens after the inauguration of Donald Trump? We shouldn't wait. Oregon's legislators should prepare — now — to protect our state from all that a Trump presidency could inflict.

Radical health care legislation is painful, but repairing damage from Washington will be worse.