Protect Access to Health Care for People with HIV

January 9, 2017

President-elect Donald J. Trump
Presidential Transition Headquarters
1800 F Street NW
Washington DC 20270-0117

Dear President-elect Trump:

The 190 undersigned organizations are writing to strongly urge you not to support a repeal of the Patient Protection and Affordable Care Act (ACA) without a clearly defined replacement plan and to maintain the current funding structure of the Medicaid program as you consider major changes to these health care programs that people living with HIV and their providers rely on.

We are national, state, and local organizations representing people living with HIV and those affected by HIV, public health and medical providers, HIV/AIDS service organizations, housing providers, and legal advocates from across the United States.

With bipartisan support, we have made significant strides in responding to the HIV epidemic in the United States and abroad. We now have highly effective prevention and treatment options that allow us to envision ending the AIDS epidemic. However, doing so requires that individuals at risk for HIV and those living with HIV have affordable, reliable access to comprehensive health coverage.

The ACA provided many people living with HIV with health insurance coverage for the first time. Prior to the ACA’s health reforms, they, and many others with chronic conditions, were denied private health insurance coverage or could not afford the high cost of the coverage available to them. Even those living on very low incomes often faced the cruel irony that they would not qualify for Medicaid coverage until they became sick and disabled by AIDS. Returning to a pre-ACA state would be disastrous for many individuals who are finally able to access health care under the current initiatives and would undermine public health efforts to end the AIDS epidemic.

We are deeply concerned that efforts to quickly do away with the ACA, without simultaneously providing meaningful health coverage alternatives, will leave millions of Americans uninsured or underinsured. People with HIV and countless others cannot afford to be stripped of their health insurance coverage. Their health, and in many cases their lives, and our nation’s public health depend on preserving and building on the reforms that have worked for them, providing access to essential, life-saving health care services and prescription drugs. We strongly urge consideration of the key reform principles listed below before repealing the law or modifying the programs.

- Prevent any disruptions in health coverage, as the failure to do so will have negative health consequences for up to 30 million individuals whose health coverage is at risk in addition to serious public health and economic consequences for all Americans. Do not modify current law without having meaningful, adequately funded alternatives available. We believe it is critical to
have a plan for seamless continuation of coverage in place before announcing repeal or modifying the law to avoid negative repercussions in the market from insurers.

- **Maintain critical reforms that address unfair or discriminatory insurer practices**, including laws that prohibit insurers from denying coverage based on pre-existing conditions or charging individuals more based on health status or gender, or excluding coverage of treatments for specific conditions. These consumer protections should not be contingent on continuous coverage requirements.

- **Maintain the current funding structure, including the entitlement, of the Medicaid program**, to allow states to respond to current need and increased demand for Medicaid coverage during tough economic times, unanticipated outbreaks or disasters and when there are health innovations, such as the recent curative breakthrough treatments for hepatitis C.

- **Ensure access to a minimum essential benefits package** that includes the range of services and treatments that people at risk for and those living with HIV need to stay healthy, including prescription drug benefits, substance use and mental health treatment, and preventive services without cost-sharing.

- **Keep health coverage, health services and prescription drugs affordable** by ensuring adequate, up front premium and cost sharing assistance for lower income individuals to afford health plans that provide comprehensive coverage. Low income individuals need assistance at the time the bills are due or they will forgo medically necessary treatment and care. Maintain the bans on annual and lifetime benefits caps to ensure access to care and coverage when it’s needed most.

- **Sustain strong non-discrimination protections** such as Section 1557 of the ACA that prohibit insurers or providers from discriminating against individuals on the basis of their race, color, national origin, sex, age or disability.

We hope that we can count on you to consider the health care and socioeconomic needs of people living with HIV and millions of others who now rely on the marketplaces and Medicaid for access to their care and treatment. We are hopeful that any health care reforms proposed under the new Administration and Congress will provide protections for those living with chronic conditions and build upon the lessons learned over the last eight years of health care reform efforts.

Respectfully submitted by the 190 undersigned organizations,

**ALABAMA**
- Southern AIDS Coalition
- Los Angeles LGBT Center

**ARIZONA**
- Southern Arizona AIDS Foundation
- Natural Wholistic Health & Wellness Research Center
- PleasePrePMe
- Project Inform

**ARKANSAS**
- Jefferson Comprehensive Care System, Inc.
- Positive Resource Center
- Positive Women’s Network - USA
- Project Inform

**CALIFORNIA**
- AIDS Legal Referral Panel
- Sacramento LGBT Community Center
- Alameda County Office of HIV Health Services
- San Francisco AIDS Foundation
- APLA Health
- San Francisco Department of Public Health
- Asian Health Services
- Sierra HOPE
- California LGBT Health and Human Services Network
- Transgender Law Center
- Equality California
- West Hollywood Community Housing Corporation
- HIV ACCESS
- COLORADO
- HIVE
- Boulder Community Health
- Law Foundation of Silicon Valley
- CONNECTICUT
- Human Resource Agency New Britain

This letter is sponsored by the Federal AIDS Policy Partnership’s HIV Health Care Access Working Group. The HHCAWG co-chairs are Carmel Shachar with the Center for Health Law and Policy Innovation (cshachar@law.harvard.edu), Amy Killelea with the National Alliance of State and Territorial AIDS Directors (akillelea@NASTAD.org) and Andrea Weddle with the HIV Medicine Association (aweddle@hivma.org).
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