



November 28, 2017

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## Oppose the “Tax Cuts and Jobs Act” and Any Efforts to Repeal the Affordable Care Act’s Individual Mandate Provision

Dear Senator,

On behalf of The Leadership Conference on Civil and Human Rights, the National Health Law Program, and the National Partnership for Women & Families, we urge you to oppose the “Tax Cuts and Jobs Act.” In addition to the overall inequity of the tax proposal and the threat it poses to critical health programs, such as Medicaid and Medicare, we are also concerned about the inclusion of a provision that would eliminate and essentially repeal the Affordable Care Act without replacing it. Repealing the individual mandate would leave 13 million low- and middle-income people uninsured, including five million individuals now receiving Medicaid, and raise premiums for millions of others.<sup>i</sup> This is a bill that would take away health care from millions of people in our nation masquerading as tax reform legislation. We oppose any proposal that would give large tax cuts to millionaires, billionaires, and wealthy corporations by taking away health care from millions of people.

The Senate bill, much like its counterpart in the House, would increase the deficit and provide large tax cuts for the wealthy at the expense of low- and middle-income working families. A November 26 report by the Congressional Budget Office (CBO) found that the Senate Republican tax plan would leave the nation’s poorest individuals worse off and increase the deficit by \$1.4 trillion over the next decade.<sup>ii</sup> Furthermore, a report from the Joint Committee on Taxation found that “the percentage of people seeing their taxes increase would grow over the life of the Senate’s tax bill. In 2027, 12.2 percent of people would see their taxes increase by \$100 or more and 29 percent of people would see no change to their taxes.”<sup>iii</sup>

In addition to lowering taxes for wealthy corporations, millionaires, and billionaires, “the Senate bill also makes a major change to health insurance that the CBO projects would have a harsh impact on lower-income families.”<sup>iv</sup> These proposed tax cuts will exacerbate already existing economic inequalities and will disproportionately harm people of color, women, people with disabilities, and low-income individuals.<sup>v</sup>

The Senate proposal is a double hit against low-income people. The ACA is a critical source of health coverage for America’s traditionally underserved communities, who our organizations represent, and has reduced the number of people without insurance to historic lows, including a reduction of 39 percent of the lowest income individuals.<sup>vi</sup> The individual mandate works to counteract the conundrum of healthy people undervaluing insurance for adverse events in order to avoid the immediate costs of buying health insurance.<sup>vii</sup> Specifically, the individual mandate “insures a robust marketplace for those enrolling in the



ACA because healthy people are incentivized to buy coverage to avoid paying a tax penalty and insurers need healthy people to balance out those who may incur high medical costs in any given year.”<sup>viii</sup> The CBO estimates that repeal of the individual mandate provision would save \$318 billion over 10 years by increasing the number of uninsured Americans by 13 million by 2027.<sup>ix</sup> This loss of coverage would affect many individuals, as the tax bill will significantly damage the individual market, raise premiums, and put coverage out of financial reach for many.<sup>x</sup>

The repeal of the individual mandate would also effectively cut five million people off of Medicaid since many individuals found they were eligible for Medicaid when applying for coverage to avoid paying the penalty for not having coverage. Further, the Senate bill as a whole poses a threat to Medicaid in the long-term due to its enormous addition to the federal deficit. By increasing the deficit in this bill, there will be more pressure to reduce it in the near term by cutting spending for crucial government programs, like Medicaid. Funding from Medicaid provides support for hospitals and health centers, among other aspects of the health system. Reducing the amount of federal funding paid to the states through Medicaid while increasing the number of uninsured individuals will put additional strain on the health care system when these individuals need health care that they may no longer be able to afford.<sup>xi</sup>

Ultimately, coverage losses harm everyone. The impact includes a lack of access to preventive care, inability to receive needed care, worse health outcomes, and exposure to medical bankruptcy if they become seriously ill and seek treatment.<sup>xii</sup> Coverage losses in combination with reduced tax deductions will be particularly devastating for communities of color, women, people with disabilities, and low-income individuals who rely on these mechanisms to access affordable health care and make ends meet. Medicaid provides health coverage to 4.9 million African-American adults, 7.4 million Latino adults, 13 million women, 6 million seniors, 13 million Americans with disabilities, and 34 million children.<sup>xiii</sup> The Senate bill threatens to remove coverage from millions of beneficiaries, while others may see cuts in the health services including home- and community-based services, and school-based health services for students with disabilities.<sup>xiv</sup>

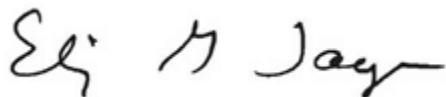
For these reasons, we strongly urge you to oppose the “Tax Cuts and Jobs Act.” If you have any questions, please feel free to contact The Leadership Conference Health Care Task Force Co-chairs Katie Martin at the National Partnership for Women & Families ([kmartin@nationalpartnership.org](mailto:kmartin@nationalpartnership.org)), Mara Youdelman at the National Health Law Program ([youdelman@healthlaw.org](mailto:youdelman@healthlaw.org)), or Arielle Atherley at The Leadership Conference ([atherley@civilrights.org](mailto:atherley@civilrights.org)).

Sincerely,

Vanita Gupta  
President & CEO  
The Leadership Conference on Civil and Human Rights



Debra Ness  
President  
National Partnership for Women & Families



Elizabeth G. Taylor  
Executive Director  
National Health Law Program

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- <sup>i</sup> <https://www.cbpp.org/blog/repealing-individual-mandate-would-hurt-not-help-low-and-moderate-income-people>
- <sup>ii</sup> [https://www.washingtonpost.com/news/wonk/wp/2017/11/26/senate-gop-tax-bill-hurts-the-poor-more-than-originally-thought-cbo-finds/?utm\\_term=.a062f0e44b5e](https://www.washingtonpost.com/news/wonk/wp/2017/11/26/senate-gop-tax-bill-hurts-the-poor-more-than-originally-thought-cbo-finds/?utm_term=.a062f0e44b5e)
- <sup>iii</sup> <http://www.businessinsider.com/trump-tax-plan-senate-bill-analysis-tax-increase-2017-11>
- <sup>iv</sup> [https://www.washingtonpost.com/news/wonk/wp/2017/11/26/senate-gop-tax-bill-hurts-the-poor-more-than-originally-thought-cbo-finds/?utm\\_term=.a062f0e44b5e](https://www.washingtonpost.com/news/wonk/wp/2017/11/26/senate-gop-tax-bill-hurts-the-poor-more-than-originally-thought-cbo-finds/?utm_term=.a062f0e44b5e)
- <sup>v</sup> <http://www.healthlaw.org/blog/676-tax-reform-madness-an-audacious-power-grab-by-congressional-republicans->
- <sup>vi</sup> U.S. Department of Health and Human Services, *Affordable Care Act Has Led to Historic, Widespread Increase in Health Insurance Coverage*, pp. 2, 4 (Sept. 29, 2016), available at <https://aspe.hhs.gov/sites/default/files/pdf/207946/ACAHistoricIncreaseCoverage.pdf>.
- <sup>vii</sup> <http://www.healthlaw.org/blog/676-tax-reform-madness-an-audacious-power-grab-by-congressional-republicans->
- <sup>viii</sup> <https://www.cbpp.org/blog/yes-the-massive-coverage-losses-from-repealing-the-individual-mandate-would-be-harmful>
- <sup>ix</sup> <http://www.healthlaw.org/blog/676-tax-reform-madness-an-audacious-power-grab-by-congressional-republicans->
- <sup>x</sup> <https://www.cbpp.org/research/health/republicans-considering-increasing-number-of-uninsured-by-millions-raising-premiums>
- <sup>xi</sup> <http://www.healthlaw.org/blog/678-dont-rob-medicaid-a-the-aca-to-pay-for-tax-cuts>
- <sup>xii</sup> <https://www.cbpp.org/blog/repealing-individual-mandate-would-hurt-not-help-low-and-moderate-income-people>
- <sup>xiii</sup> <https://www.cbpp.org/research/federal-budget/republican-plans-to-cut-taxes-now-cut-programs-later-would-leave-most-women>; <https://www.cbpp.org/research/federal-budget/republican-plans-to-cut-taxes-now-cut-programs-later-would-leave-most-0>; <https://www.cbpp.org/research/federal-budget/republican-plans-to-cut-taxes-now-cut-programs-later-would-hurt-people-with>; <https://www.cbpp.org/research/federal-budget/republican-plans-to-cut-taxes-now-cut-programs-later-would-leave-most-2>; <https://www.cbpp.org/research/federal-budget/republican-plans-to-cut-taxes-now-cut-programs-later-would-leave-most-1>
- <sup>xiv</sup> *Id.*