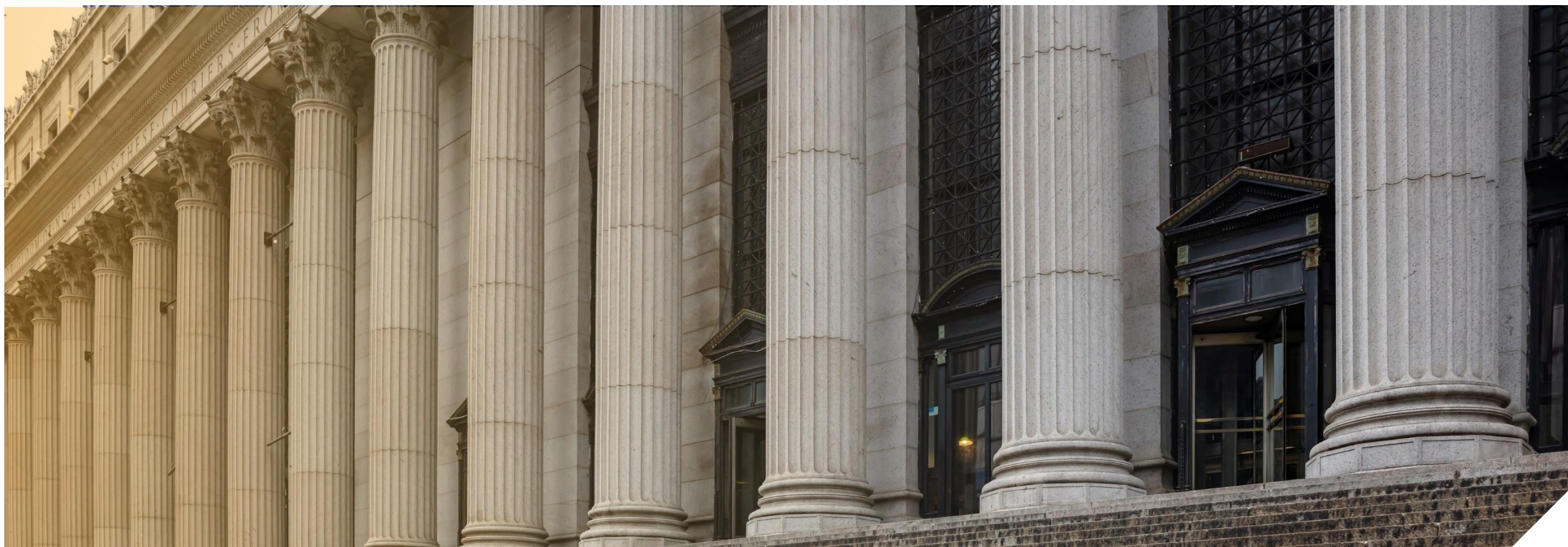


ACA + ACB

What does the next SCOTUS decision mean for private markets?

6 NOVEMBER 2020



Welcome / Agenda



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Introduction

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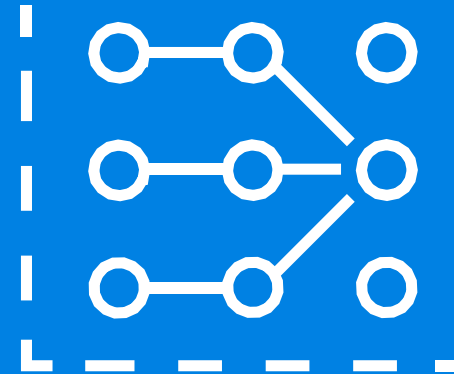
A practical orientation
to the lawsuit

5

Panel discussion
and Q&A

Disclaimer and Caveats

- The views expressed in this presentation are personal to the presenter, and not the views of Milliman, Inc., any of its global subsidiaries, or of their employers.
- We are not lawyers, and this presentation does not constitute legal advice. Please consult with counsel prior to taking any actions in response to this action.
- This discussion is not intended to endorse any specific outcome as a result of California v. Texas. The case is ongoing and there is a significant range of outcomes, not all of which may be addressed in this discussion. Any conclusions drawn are highly dependent on actual outcomes, and may be invalid if the ruling in the case unfolds in a manner different than that presumed in the relevant question.



Presenters



Jimmy Lee

Former President of
Consumer Division
Anthem, Inc.



Cathy Mahaffey

Chief Executive Officer
Common Ground
Healthcare Cooperative



Mark Wilson

Chief Economist & Vice President
HR Policy Association



Jason Karcher

Health Policy Consultant
Milliman



Mike Gaal

Moderator
Milliman



California v. Texas

A Practical Orientation

A History of Legal Challenges to the Affordable Care Act

Legal issues have accompanied the ACA as it has evolved – in Congress and in the courts



Implementation

- Constitutionality of the Medicaid Expansion
- Constitutionality of the Individual Mandate



Acceleration

- Availability of Premium Tax Credits
- Funding for Risk Corridors and Cost-Sharing Reductions



Reconsideration

- Repeal and replace ... or maybe not?
- Undoing the mandate penalty

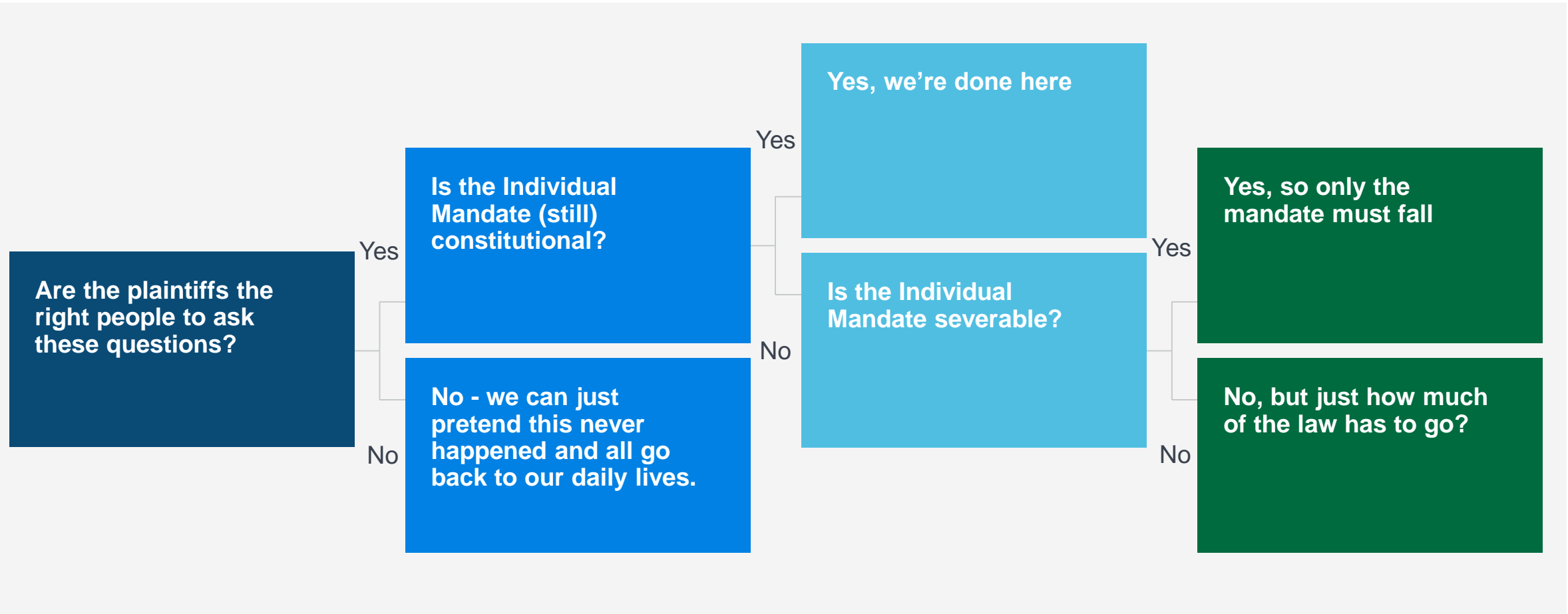


The Future?

- Echoes of California v. Texas

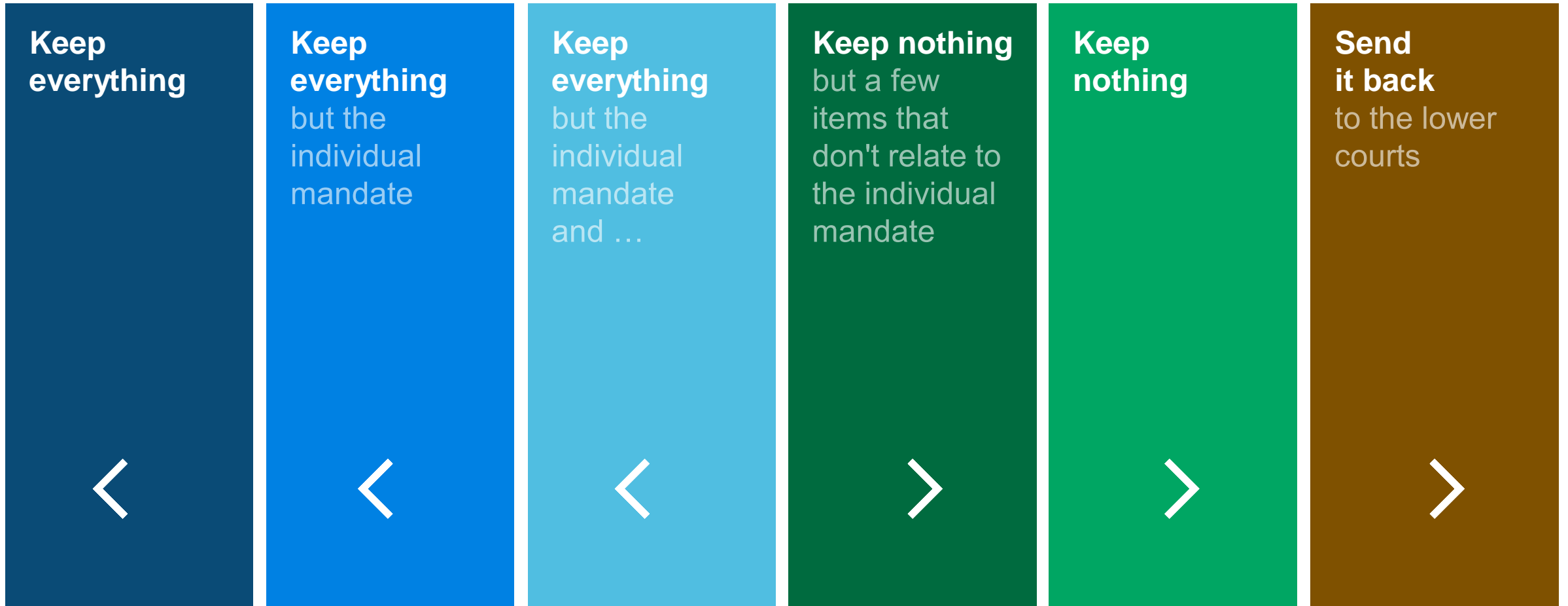
Three Key Topics of Discussion at SCOTUS

How Standing, Constitutionality, and Severability will shape a Supreme Court Decision



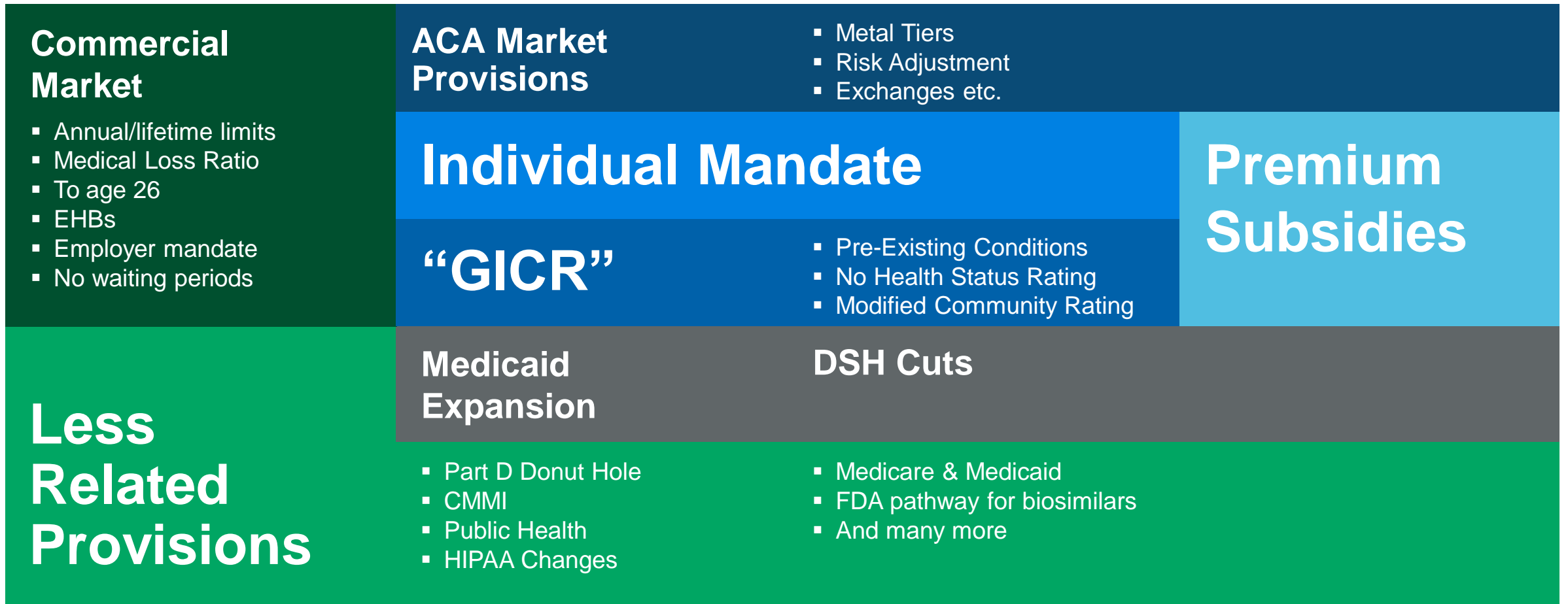
The Continuum of Severability

What could the universe of results look like?



Six Degrees of the Individual Mandate

Laying out major elements of the ACA by proximity to the key questions



Panel Discussion

Practically speaking, what effects will this case have on individual and employer-sponsored coverage?



Thank you

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