On Monday, June 22, 2015, Oswald Companies hosted a panel of Health Care Reform policymakers and industry experts at the Renaissance Hotel Downtown Cleveland. The audience of more than 500 consisted of Northeast Ohio employers and Affordable Care Act (ACA) stakeholders.

The timing of the forum was designed to inform employers on a variety of current topics, broken down into four distinct panel discussions including the pending (now concluded) Supreme Court Ruling of King v. Burwell, an overview of the five-year impact of the ACA, the significance of the "Cadillac Tax," and an Affordable Care Act employer-focused discussion.

The forum, moderated by Oswald Companies Chief Executive Officer, Robert J. Klonk, welcomed a diverse audience of employers across the range of industry and non-profit sectors.

IN THE SPOTLIGHT: KING v. BURWELL

The afternoon kicked off with the keynote address, delivered by State Senator Tom Patton, current majority leader of the Ohio Senate. Patton provided context for the approaching Supreme Court ruling of King v. Burwell, which had argued that the Affordable Care Act's insurance subsidies were illegal.

In his address, Senator Patton specifically highlighted the impact and contingent options if subsidy eligibility were to be eliminated in Ohio. He also provided an update on the current budget process in Ohio. Addressing budget allocation concerns, he noted that Ohio's budget needs require 90 percent of taxes to "mediate, educate and incarcerate," and additional unfunded mandates will further strain the state economy.

On June 25, 2015, The Supreme Court ruled a 6-3 decision in favor of the authorized federal tax credits for eligible Americans living not only in states with their own exchanges but also in the 34 states with federal exchanges.
Kathleen Falk, Regional Director of Region V of the U.S. Department of Health and Human Services (HHS), provided an in-depth look at the implementation successes and challenges in providing accessibility, quality, and affordable health care for Americans. She explained that HHS was currently "knee deep" in educating Americans about health insurance. She expressed her commitment to helping people understand the benefits of quality and preventative care and trying to reach "Young Invincibles," the class of youth that cannot imagine ever actually needing health care.

"The ACA is not about making a point, but making progress," Falk commented, and made a point to engage employers in the audience to "communicate with me directly and let me know what we can do to make the law better for you."

UNCERTAINTY REIGNS: WHAT'S NEXT FOR U.S. EMPLOYERS

The discussion led to an update of various legislative proposals in the Republican-led Congress to repeal or replace provisions of the ACA by Republican Congressmen Jim Renacci and Jim Jordan. Previous to his political career, Congressman Renacci was a 30-year employer and explained, "We need a solution that gets us back to patient-centered and free market healthcare." Empathizing with employers in the audience, "The current government is bringing you uncertainty and unpredictability, a big problem for business owners."

In addition, Republican Congressman Jim Jordan, leader of the Freedom Caucus, joined Renacci in addressing challenges for GOP policymakers in repealing, modifying or Replacing the Cadillac Tax, a 40 percent non-deductible excise tax on employer-sponsored health coverage that provides high-cost benefits. Renacci, as a leading policymaker within the Congressional Ways and Means Committee, has introduced a bipartisan bill to amend how the Cadillac Tax is calculated. He offered insight into options, long-term cost control considerations and the conflicting approaches to modify and/ or repeal the tax within the Republican Party. Jordan shared his clear stance on the ACA, stating "It is the most partisan bill ever, the biggest domestic issue, and the most harmful issue." He announced that a recent Republican voter poll revealed that 65 percent of Republican voters feel that Republican representatives are not doing what they should be doing, and if the right decision is not made, voter disapproval could go much higher.

The forum's final topic, The Affordable Care Act: Focus on Employers, offered the audience an insider view of the upcoming legislation. Expert panelists were Janet Trautwein, CEO of the National Association of Health Underwriters (NAHU), Joel Wood, Senior Vice President of Government Affairs of the Council of Insurance Agents and Brokers (CIAB), and Professor J.B. Silvers, Ph.D, Professor of Banking and Finance at Case Western Reserve University's Weatherhead School of Management. Ms. Trautwein, Mr. Wood, and Dr. Silvers provided a lively discussion of considerations that will impact consumers and employers approaching 2016. All three experts agreed that there is inconsistent statistical data about the ACA’s success and that much work remains to provide Americans with affordable and effective health care.

Perhaps the most critical question of the forum, posed by the moderator, Mr. Klonk, was, "What would work better?"

Though unresolved, what became certain is that there are individuals working toward answers on behalf of their constituents.

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