

## ***FACT SHEET:***

### ***Republicans Support Protections for Patients with Pre-Existing Conditions A Joint Guide by Ways & Means, Energy & Commerce, and Education & Labor Republicans***

Republicans stand with patients who have pre-existing conditions and have fought for legislation to protect them. Every single Democrat has voted against Republican measures designed to help patients.

#### **Key Points:**

- **No American** should fear being unable to access health insurance because of a pre-existing condition.
- Republicans support a health insurance system that **protects Americans with pre-existing conditions**, increases transparency and choice, and lowers costs.
- Protections for those with pre-existing conditions are in place today and **will remain the law of the land**, even during legal challenges. Whatever happens, **Republicans will secure those protections**.
- **Democrats should stop playing politics** and affirm pre-existing condition protections into law right now, but they would rather score political points than admit the ACA's foundation was unconstitutional and pass actual legislation to protect patients.

#### **Republicans Have Fought for Protections for Patients with Pre-Existing Conditions**

**Republicans are fighting to protect patients with pre-existing conditions. Democrats are rejecting these moves:**

- As our first act this Congress, House Republicans forced a vote to protect vulnerable Americans and ensure that their coverage would not be caught up in questions of constitutionality before the Court.
- Then, Democrats twice rejected H. Res. 280, introduced by E&C Republican Leader Walden and W&M Republican Leader Brady, to express the sense of the House of Representatives that no American should lose protections for pre-existing conditions due to the enactment of an unconstitutional law, and that Congress should enact bipartisan legislation to guarantee affordable health insurance coverage if the Supreme Court decides Obamacare is unconstitutional.
- Further legislation, like Republican Leader Walden's H.R. 692, the Pre-existing Conditions Protection Act of 2019, have been offered by Congressional Republicans to achieve this goal.

**Republicans are on record protecting those with pre-existing conditions:**

- House Republicans originally championed these protections for the vast majority of the privately insured in the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- During debate on the American Health Care Act (AHCA), and since, House Republicans reiterated their strong support for protections for those with pre-existing health conditions.
- House Republicans support crucial patient protections – including a ban on lifetime limits, allowing 26-year-olds to stay on parents' plans, a guarantee of being able to get insurance with a pre-existing condition, and no "hidden" exclusions that prevent those with pre-existing conditions from getting benefits – while giving Americans the choice to purchase health care coverage that best fits their needs.

**Republicans believe in lasting protection for those with pre-existing conditions:**

- Democrats want to rob states of the authority to address the unique health needs of their own communities, in pursuit of a one-size-fits-all government takeover through Medicare for All.
- We should instead focus on lowering the costs of health care by fixing surprise billing, making prescription drugs more affordable, and empowering patients with transparency and choice.

#### **About the Latest Lawsuit Arising from Democrats' Reckless Passage of Obamacare**

Twenty states, led by Texas, are arguing Obamacare's individual mandate is unconstitutional. A District Court judge in Texas agreed. The defendants filed an appeal in the Fifth Circuit, whose judges found that the Obamacare's individual mandate is unconstitutional. They sent the question of what happens to the rest of the law's provisions back to the District Court. Now, the Supreme Court is scheduled to weigh in on the case this fall.