Congress has taken the first step toward repeal. Using a two-step process called reconciliation. Reconciliation bills are not subject to filibuster and can be passed with a simple majority vote (51 votes) in the Senate.

Step one – passed the FY 2017 budget, which includes reconciliation instructions to committees.

Step two – Committees are charged with drafting bills responding to those instructions, which will have details of the repeal plan and the time frame, and will then be passed again by the House and Senate.

Only tax/spending provisions are applicable – the entire ACA cannot be repealed through reconciliation. Unclear frame for replacement, for reconciliation or other provisions that cannot move through reconciliation.
The Steps to GOP’s Plan for Obamacare Repeal

In an effort to dismantle the 2010 health care law, Republican lawmakers are using the convoluted process of budget reconciliation, which includes the passage of two measures. Some provisions to replace the system could be included in this process or may follow as separate legislation. Here’s how their plan would proceed:

Fiscal 2017 Budget Resolution
*S. Con. Res. 3*

- Senate: “Vote-a-rama” of amendments/Senate adoption
- House: House amendments/adopteration
  - Jan. 11-12
  - Jan. 13

Resolution “instructing” committees

Reconciliation Bill

- Finance HELP
  - Senate Budget Committee
  - Senate floor Vote-a-rama/passage
  - Conference or passage of same bill
  - Reconciliation bill to president

Energy & Commerce Ways & Means
  - House Budget Committee
  - House floor Amendment/passage
  - Jan. 27 deadline

Source: CQ reporting
Randy Leonard/CQ Roll Call
ACA Repeal – Big Picture

- Protect Our Care Coalition is organizing groups in DC and around the country.
- Message: “No repeal without replace,” “No repeal and delay.”
- Story bank: [www.acaworks.org](http://www.acaworks.org)
- Encourage you to submit stories of how the ACA has improved prevention.
- Only need three Republicans to block reconciliation.
- Target states for Protect Our Care Coalition: Alaska, Arizona, Iowa, Maine, Nevada, Ohio, Pennsylvania, Tennessee, West Virginia
ACA Repeal: Public Health Implications

- Phase One of public health response: Fate of the Prevention and Public Health Fund, which can be repealed through reconciliation.
- PPHF would provide $14 billion over next 10 years (FY2018-27) to improve public health and prevent chronic illness.
- PPHF funded at $932 million in FY16.
- Centers for Disease Control would lose 12% of its budget.
- States would lose more than $3 billion in grants and other programs over the next 5 years.
ACA Repeal: Public Health Implications

- Educate Members of Congress about impact of ACA repeal on essential public health activities. “Don’t repeal the Prevention Fund without a plan to replace that funding,” “Repealing the Prevention Fund will have dire public health consequences.”

Phase Two of public health response: ensure replacement vehicle includes prevention and wellness priorities.

ACA includes prevention priorities beyond the Prevention Fund, including no-cost coverage of clinical preventive services, the CMS Innovation Center Initiatives to Improve Health, restaurant menu labeling requirements, and more.

Still unclear on what timing for a replacement bill will be.
FY 17 Funding and Beyond

- Continuing resolution for FY17 goes until April 1\textsuperscript{st}.
- Unclear whether they will simply extend the CR through FY17 (which means level funding for most programs).
- Prevention Fund repeal could put FY17 funding at risk.
- FY2018 – sequestration will return unless a deal is reached.
- Talk of increasing defense spending (and potentially paying for a wall) means domestic priorities will be at risk, particularly if Prevention Fund is repealed with no replacement.
Congressional Review Act (CRA)

- Gives Congress the ability to overturn major regulations within certain time period – based on legislative days – rules passed back to May 30th at risk.
- Requires both House and Senate to pass, President to sign.
- Not only would repeal the rule but ban the agency from issuing a “substantially similar” rule without statutory approval.
- Clean air, clean water, tobacco, nutrition regulations at risk.
- Limited window of time to act on CRA – probably through end of February.