

TO: Interested Parties
FROM: Geoff Garin
DATE: June 24, 2018
RE: New Poll Results on the Trump-GOP Legal Assault on the ACA

A new national survey conducted by Hart Research Associates on behalf of Protect Our Care finds that **the lawsuit filed by Republican state attorneys general seeking to invalidate key consumer protections in the Affordable Care Act is likely to be a serious and significant self-inflicted wound for Republican candidates in this year's election because it puts them in a position of defending what the large majority of voters believe to be indefensible.** Two-thirds of all voters nationwide disapprove of the Trump Justice Department's decision to support the lawsuit, with nearly half of all voters strongly disapproving.

The survey, conducted June 11 to 17 among a representative national cross section of 1,035 likely voters, provided the following background about the lawsuit and the Trump administration's response to it:

- Republican state attorneys general have filed a lawsuit to overturn and eliminate the part of the Affordable Care Act that requires health insurance companies to cover people with preexisting medical conditions without charging them more for their coverage. The lawsuit would overturn and eliminate parts of the law that protect women and people over the age of 50 from being charged more for their coverage.
- Normally, the U.S. Department of Justice would defend federal laws against this type of lawsuit, but instead, the Trump Justice Department went to court and agreed that these protections should be repealed. If the Trump administration succeeds, insurance companies will once again be able to deny coverage or charge higher premiums for up to 130 million Americans with a preexisting condition.

By 66% to 34%, voters disapprove of the Trump Justice Department's actions in supporting this lawsuit. Nearly half (47%) of all voters strongly disapprove, while only 11% strongly approve. Overwhelming majorities of both Democrats (87%) and independents (72%) disapprove of the Trump administration's actions, while Republicans are much more divided in their views (57% approve, 43% disapprove). The high degree of disapproval among non-college-educated white women voters

(66% disapprove, 47% strongly disapprove) is notable because it underlines the degree to which the lawsuit and the issue of preexisting conditions puts this part of the Trump base into play for 2018.

These reactions to the lawsuit come against a backdrop of Republicans already being quite vulnerable on the question of protecting people with preexisting medical conditions. When asked earlier in the survey which party is more likely to “make sure people with preexisting medical conditions can get affordable insurance coverage,” voters choose Democrats over Republicans by a wide 63% to 37%. This 26-point margin is especially noteworthy given that Democrats have only a three-point advantage in party identification overall in the survey sample. Nearly three-quarters (72%) of all voters say they would have major doubts about a Republican candidate who “voted to weaken protections for people with preexisting medical conditions, which would allow insurance companies to charge people with preexisting conditions much more to get coverage,” including 50% who have very major doubts. Even among those who are otherwise inclined to vote for a Republican for Congress, three in 10 would have very major doubts about a GOP candidate who supports weakening protections for people with preexisting conditions.

The issue of preexisting conditions is politically powerful because many Americans see themselves in the picture when this issue is being debated. Forty-seven percent (47%) of all voters say that either they or someone in their household has a preexisting medical condition.