

### Joni Ernst

Since her first campaign for the Senate in 2014 when she shot the Affordable Care Act with a handgun, Joni Ernst has repeatedly voted to repeal the Affordable Care Act, including votes for all three Senate repeal bills in 2017.

## Ernst Supports Repealing The ACA And Its Protections For 1.2 Million lowans with Pre-Existing Conditions

2014: Ernst Campaigned For The Senate With An Ad Where She "Unloads" On Obamacare By Shooting It With A Handgun. "Republican U.S. Senate candidate Joni Ernst of lowa has released a new TV ad vowing to 'unload' on Obamacare, in which she takes target practice at a shooting range with a handgun. The narrator of the ad says Ernst, a state senator and lieutenant colonel in the lowa Army National Guard, 'carries more than just lipstick in her purse.' The commercial portrays her riding a motorcycle to a shooting range where she takes target practice. 'Joni Ernst will take aim at wasteful spending. And once she sets her sights on Obamacare, Joni's gonna unload,' the narrator continues. Next, Ernst starts firing a handgun at a target. 'Oh, and one more thing,' adds the narrator as the dispersal of her shots on the target come into view. 'Joni doesn't miss much.'" [Washington Post, 5/4/14]

**2015**: **Ernst Voted To Repeal Most Of The ACA**. Ernst voted for legislation that gutted the Affordable Care Act by eliminating the insurance exchanges and subsidies, and repealing the Medicaid expansion accepted by 30 states, including Nevada. [HR 3762, Roll Call Vote #114, 12/3/15]

- **HEADLINE: "Ernst Supports ObamaCare Repeal"** [Sen. Joni Ernst Press Release, <u>12/3/15</u>]
- Ernst Co-Sponsored Additional Legislation Authorizing "The Full Repeal Of Obamacare." "Senator Ernst is also a co-sponsor of legislation introduced by Sen. Ted Cruz (R-TX), which authorizes the full repeal of ObamaCare 180 days after enactment of the bill in order to allow a six-month window to replace it with quality solutions." [Sen. Joni Ernst Press Release, 12/3/15]

#### What would full repeal of the Affordable Care Act eliminate?

- o Protections for 1,288,400 lowans with pre-existing conditions, if they buy coverage on their own
- o Improvements to Medicare, including reduced costs for prescription drugs
- Allowing kids to stay on their parents' insurance until age 26
- o Ban on annual and lifetime limits
- o Ban on insurance discrimination against women
- Limit on out-of-pocket costs
- Medicaid expansion currently covering roughly 150,000 lowans
- o Rules to hold insurance companies accountable
- Small business tax credits
- Marketplace tax credits and coverage for up to 46,519 lowans

**2017: Ernst Voted For The Senate "Repeal And Delay" Plan.** Ernst voted for Obamacare Repeal and Replacement Act was a Republican effort to repeal the ACA without a replacement. Known as "repeal and delay," the bill repealed major sections of the ACA, including the Medicaid expansion and premium tax credits, in 2020. [HR 1628, Roll Call Vote #169, 7/26/17]

- If Repeal and Delay became law, <u>32 million fewer people</u> would have health insurance by 2026. 18 million Americans would lose health coverage just in the first year after repeal.
- Health insurance premiums <u>would double</u> for those in the individual market.

**2017: Ernst Voted For The Better Care Reconciliation Act.** Ernst voted for the Better Care Reconciliation Act, which repealed and replaced the ACA. [HR 1628, Roll Call Vote #168, 7/25/17]

- BCRA would have eliminated coverage for 15 million Americans in 2018.
- The bill gutted Medicaid by more than \$2 trillion over the next two decades and eliminated Medicaid expansion.
- Individual premiums would have increased <u>20 percent in 2018</u> and comprehensive coverage would become "extremely expensive" in some markets.

**2017: Ernst Voted For "Skinny Repeal" Of The ACA.** Ernst voted for "Skinny Repeal" of the ACA, which repealed the individual mandate and delayed the employer mandate while leaving most of the rest of the law in place. [HR 1628, Roll Call Vote #179, 7/28/17]

### According To CBO, Skinny Repeal Would Have Resulted In The Largest Coverage Loss in American History:

- o At minimum, 15 million Americans would lose coverage in 2018. This would have been the biggest one-year increase in our nation's history.
- o Premiums would go up by roughly 20 percent

#### 2017: Ernst Refused To Give Up On Repealing The Affordable Care Act After The Failure Of The Senate Bills.

"lowa's U.S. senators vowed Friday to continue trying to rein in Obamacare after coming up on the losing end of an early morning vote on a controversial 'skinny repeal' bill. [...] Ernst said Friday she's also not ready to give up on repealing the Affordable Care Act. 'We don't have the option to sit back and do nothing; lowans are demanding relief from Obamacare,' she wrote in a statement released by her staff. 'I am disappointed that the Senate was unable to advance important changes to this flawed law. We must now continue to find ways to work on behalf of lowans and the American people who have been negatively impacted by Obamacare to find affordable, patient-centered solutions that work for them.'" [Des Moines Register, 7/28/17]

# Ernst Claims To Support Coverage For People With Pre-Existing Conditions But Sponsors Legislation That Would Gut Those Protections

In Response To The Court Ruling Striking Down All Of The ACA, Ernst Said It Was "Important That We Protect People With Preexisting Conditions, As We Repeal And Replace Obamacare." "Republicans are facing a moment of reckoning on health care after a federal judge struck down the Affordable Care Act, imperiling the landmark law the GOP has struggled against for eight years. [...] One of the Republican senators facing a potentially competitive reelection campaign is Joni Ernst of Iowa. Ernst issued a statement Saturday saying that it was 'important that we protect people with preexisting conditions, as we repeal and replace Obamacare." [Washington Post, 12/15/18]

2018: Ernst Co-Sponsored Legislation That She Claimed Would "Guarantee Americans Have Equal Health Care Coverage, Regardless Of Their Health Status Or Pre-Existing Condition." "Yesterday, Senators Thom Tillis (R-NC), Lamar Alexander (R-TN), Chuck Grassley (R-IA), Dean Heller (R-NV), Bill Cassidy, M.D. (R-LA), Lisa Murkowski (R-AK), Joni Ernst (R-IA), Lindsey Graham (R-SC), John Barrasso (R-WY), and Roger Wicker (R-MS) introduced the Ensuring

Coverage for Patients with Pre-Existing Conditions Act, legislation that would guarantee Americans have equal health care coverage, regardless of their health status or pre-existing conditions. Oral arguments in Texas v. United States will begin on September 5th, and if the judge rules in favor of the plaintiffs, protections for patients with pre-existing conditions could be eliminated. This legislation amends the Health Insurance Portability and Accountability Act (HIPAA) to guarantees the availability of coverage in the individual or group market, for all Americans, including those with pre-existing conditions, regardless of the outcome in Texas v. United States. The legislation prohibits discrimination against beneficiaries based on health status, including the prohibition against increased premiums for beneficiaries due to pre-existing conditions." [Sen. Thom Tillis Press Release, 8/24/18]

**2019:** Ernst Co-Sponsored The Protect Act That She Claimed Would Protect Americans With Pre-Existing Conditions. "Senate Republicans believe in patient-centered health care that delivers the choices they want, the affordability and protections they need, and the quality they deserve. That is why Senator Thom Tillis (R-NC) and his colleagues today introduced the Protect Act, legislation that protects Americans with pre-existing conditions, ensuring that Americans have the peace of mind knowing that they and their loved ones will never be denied health care coverage or be charged more because of a pre-existing condition. Joining Senator Tillis as co-sponsors of the Protect Act are Senators Lamar Alexander (R-TN), Chuck Grassley (R-IA), Bill Cassidy, M.D. (R-LA), Rob Portman (R-OH), David Perdue (R-GA), Joni Ernst (R-IA), John Cornyn (R-TX), Kevin Cramer (R-ND), Johnny Isakson (R-GA), Roger Wicker (R-MS), Shelley Moore Capito (R-WV), John Barrasso (R-WY), Rick Scott (R-FL), John Kennedy (R-LA), Todd Young (R-IN), Tom Cotton (R-AR), and Richard Burr (R-NC)." [Sen. Thom Tillis Press Release, 4/10/19]

#### Experts Agree That Ernst's Bills Are A Sham That Won't Protect People With Pre-Existing Conditions:

- Larry Levitt, Senior Vice President Of The Kaiser Family Foundation, Said Ernst's Bill Would Make
  Protections For Pre-existing Conditions A "Mirage." "I'll get a little wonky now to explain why this new
  Republican bill would allow pre-existing condition exclusions, making protections for people with pre-existing
  conditions something of a mirage." [@Larry\_Leavitt, 8/24/18]
- HEADLINE: "The GOP's New Pre-Existing Conditions Promise Is A Fraud" [Huffington Post, 8/24/18]
- Health Care Analyst Charles Gaba Called Tillis's Bill "Insultingly Stupid." "The GOP (which BROUGHT THE LAWSUIT IN THE FIRST PLACE, mind you) \*knows\* that they'll be in even deeper doo-doo than they already are if they WIN their insultingly stupid case, so they're doing damage control with a new bill which is ALSO insultingly stupid. Here's how the GOP's 'solution' to the existential problem THEY CREATED would work: It would require insurers to sell policies to those w/pre-existing conditions...but WOULDN'T require them to actually COVER those pre-existing conditions. BRILLIANT!" [@Charles Gaba, 8/27/18]
- CBPP: Tillis's Bill "Falls Far Short Of Its Purported Goal" And "Would Do Little To Protect People With Pre-Existing Conditions." "In case the Supreme Court declares the Affordable Care Act (ACA) unconstitutional in Texas v. Azar, 18 Senate Republicans are backing 'The Protect Act,' which they say would 'ensure that Americans with pre-existing conditions will have access to health care that covers their pre-existing conditions.' But the bill, from Senator Thom Tillis, falls far short of its purported goal. [...] If the Texas plaintiffs ultimately succeed, however, the Senate bill would do little to protect people with pre-existing conditions." [CBPP, 4/15/19]
  - CBPP: Tillis's Bill Would "Mean A Return To Pre-ACA Insurer Practices." The bill would reinstate three protections at risk in the Texas case prohibiting insurers from denying applicants based on pre-existing conditions, charging higher premiums due to a person's health status, and excluding pre-existing conditions from coverage. But it would leave many others on the cutting room floor. Under the bill, insurers could: exclude coverage of essential health benefits such as maternity coverage, mental health care, and substance use treatment as many plans did before the ACA; impose annual and lifetime limits on how much they will pay out (in large employer plans as well as individual-market and small business coverage); sell plans with no limit on how much enrollees could owe in out-of-pocket costs if they get sick (another change that would affect large employer plans as well as the individual and small-group markets); charge higher premiums based on non-health factors that can strongly correlate to

health risk, including gender; and charge older people (most of whom have pre-existing conditions) far more, compared to younger people, than the ACA allows. In most states, the Tillis bill likely would mean a return to pre-ACA insurer practices, with, for instance, women charged more than men for the same health plan and lifetime limits for tens of millions of people with employer coverage." [CBPP, 4/15/19]

- NYT: Tillis's Bill Offers "Political Cover" But "Unclear" Whether It Would Actually Achieve Any Results. "President Trump and Republicans in Congress say they are committed to protecting people with pre-existing medical conditions. But patients with cancer, diabetes and H.I.V., for example, would have significantly less protection under Republican proposals than under the Affordable Care Act. The proposals may provide some political cover for Republicans on an issue likely to figure prominently in the 2020 elections. But a close inspection of the Republican bills shows that their protections are undercut by a combination of imprecise language, explicit exceptions and 'rules of construction' that explain how the legislation is to be interpreted. [...] A recent bill, introduced by Senator Thom Tillis, Republican of North Carolina, and endorsed by 22 other Republican senators, would prohibit insurance companies from denying coverage because of a person's pre-existing conditions. Mr. Tillis, who is up for re-election next year, said he also wanted to 'prohibit insurance companies from charging you higher premiums due to pre-existing conditions.' Whether the language of the bill would actually achieve that result is unclear." [New York Times, 4/20/19]
- LA Times Editorial: Tillis's PROTECT Act Offers "Chimeric" Protections That Would "Allow Insurers To Go Back To The Bad Old Days." "That's where the PROTECT Act comes in. Designed to look like a life preserver for people with preexisting conditions if the courts ruled against the ACA, it would bar insurers from denying coverage to an applicant or raising a customer's premiums based on that person's medical history. But the bill's protections are chimeric, as lead sponsor Sen. Bill Cassidy (R-La.) a gastroenterologist who is intimately familiar with the U.S. health insurance system has to know. If the ACA is repealed, insurers would no longer be required to offer comprehensive policies to all comers. All the PROTECT Act would do is encourage insurers to do something they did before the ACA: offer cheaper policies with thin coverage aimed at healthy customers, and considerably more expensive policies with comprehensive coverage for people who might actually need costly care. In other words, it would allow insurers to go back to the bad old days of segmenting low-risk and high-risk customers, then designing their policies to attract the youngest, healthiest consumers." [Los Angeles Times Editorial, 4/12/19]

### Ernst Refuses To Condemn The Texas Lawsuit That Would Rip Coverage Away From More Than 185,000 Iowans

President Trump is trying to rip away our health care by going to court to eliminate the Affordable Care Act in its entirety. If the Texas lawsuit is successful, it will strip coverage from millions of Americans, raise premiums, end protections for people with pre-existing conditions, put insurance companies back in charge, and force seniors to pay more for prescription drugs.

2019: Ernst On The Texas Lawsuit: "I Am Not Going To Make A Determination On That." <u>Joni Ernst</u>: In today's day and age, we do see a lawsuit moving forward that could potentially dismantle the ACA. If that happens, we need to make sure that we are reiterating that preexisting conditions will be covered in any future insurance actions. [...] <u>Anchor</u>: Do you support that lawsuit that is going forward that would dismantle the Affordable Care Act all together? <u>Ernst</u>: I am not going to make a determination on that. I am not an attorney. But I would say that, yes, I would like to see different forms of health care coverage that exist out there that will bring costs down. I do want to see that addressed" [WHBF, <u>4/28/19</u>]

**2018: Ernst Refused To Discuss The Texas Lawsuit Threatening The ACA.** "Sen. Joni Ernst (R-lowa), who faces a potentially tough reelection bid in 2020, declined to discuss the ruling with a reporter in a Senate hallway on Monday, instead referring to her written statement." [The Hill, 12/17/18]

**Ernst Voted For The Tax Bill Which Forms The Basis For The Trump-Republican Lawsuit.** Ernst was a <u>key vote</u> for the Republican tax bill, which repealed a key provision of the Affordable Care Act that required most people to have health coverage and which is the <u>basis</u> of the Trump-Republican lawsuit seeking to overturn the Affordable Care Act.

Ernst Refused To Support Authorizing The Senate Legal Counsel To Intervene In The Trump-Republican Lawsuit And Defend The ACA. Ernst refused to sponsor a resolution (S. Res. 18), which would authorize Senate legal counsel to defend the Affordable Care Act against attack in *Texas v. Azar*.

#### If the Texas lawsuit is successful:

- **187,000 lowans could lose coverage**. According to the Urban Institute, 187,000 lowans would lose coverage by repealing the Affordable Care Act, leading to a 126 <u>percent increase in the uninsured rate</u>.
- **24,000 lowa young adults** with their parents' coverage could lose care. Because of the Affordable Care Act, millions of young adults are able to stay on their parents' care until age 26.
- lowans would lose important federal health care funding an estimated reduction of \$1.4 billion in the first year. The Urban Institute estimates that a full repeal of the ACA would reduce federal spending on Iowans' Medicaid/CHIP care and Marketplace subsidies by \$1.4 billion, or 36.8 percent in the first year.
- Insurance companies would be put back in charge, ending protections for the 1.3 million lowans with a pre-existing condition. 1,288,400 lowans <a href="https://have.ncb.nlm.nih.gov/have.ncb.nlm.ni

### Ernst Has Voted To Slash Medicare and Medicaid

**2017: Ernst Voted To Cut Medicare By \$473 Billion.** Ernst voted for the FY 2018 budget resolution, which included \$473 billion in cuts to Medicare over 10 years. [H Con Res 71, Vote #245, 10/19/17; Vox, 10/26/17]

**2017: Ernst Voted To Slash \$1.3 Trillion From Medicaid.** Ernst voted for the FY 2018 budget resolution, which cut funding for non-Medicare health programs, most notably Medicaid, by 1.3 trillion, a 20 percent cut over the course of 10 years, increasing to a 29.3 percent cut by 2027. [H Con Res 71, Vote #245, 10/19/17; Vox, 10/26/17]

Ernst Was Supportive Of The Graham-Cassidy-Heller Bill Which Would Have Slashed Medicaid Funding For Iowa. "An internal analysis by the Trump administration concludes that 31 states would lose federal money for health coverage under Senate Republicans' latest effort to abolish much of the Affordable Care Act, with the politically critical state of Alaska facing a 38 percent cut in 2026. The report, produced by the Office of the Actuary within the federal Centers for Medicare and Medicaid Services, focuses on the final year of a block grant that states would receive under the Cassidy-Graham legislation. It shows that government funding for such health insurance would be 9 percent lower overall in 2026 under the plan than under current law. [...] Only one Republican senator is holding sessions with constituents on the measure. At a town hall meeting Thursday in Charles City, Iowa, Sen. Joni Ernst said she was 'leaning yes.' She characterized the plan as the only viable alternative to what she called the ACA's failures. When audience members asked about the bill's cuts to Medicaid spending, Ernst emphasized that spending would increase, just at a slower pace than under the current law." [Washington Post, 9/22/17]

- Avalere: \$4 Trillion Cut To States Over Next Two Decades, Including \$28 Billion Cut To Iowans. Independent analysts at Avalere estimated that states collectively would lose \$215 billion from 2020 to 2026 from the plans block grants and Medicaid cap, another \$283 billion in 2027 when the block grant funding disappears altogether and \$4 trillion over the next two decades. Iowa would see a \$2 billion reduction in 2027 and a \$28 billion cut over two decades.
- 150,000 lowans Enrolled Through Medicaid Expansion At Risk. The Graham-Cassidy bill would eliminate <u>Medicaid expansion</u>, which has helped roughly 150,000 lowans receive quality, affordable coverage, and put part

of its funding into inadequate block grants. The bill would further punish states that expanded Medicaid by redistributing funds to states that did not expand Medicaid.

### **Ernst Supports "Junk" Insurance Plans That Can Refuse To Cover Pre-Existing Conditions**

**2019: Ernst Voted To Uphold The Expansion Of "Junk" Insurance Plans.** Ernst voted against a Congressional Review Act resolution to overturn a Trump administration health care policy that allows the expansion of short term health care plans that do not have to guarantee coverage for pre-existing conditions or cover essential health benefits. [SJ Res 52, Roll Call Vote #337, 10/30/19]

**2018: Ernst Voted To Allow The Expansion Of "Junk" Insurance Plans.** Ernst voted against a resolution to block President Trump from expanding access to short-term health care plans. [SJ Res 63, Roll Call Vote #226, <u>10/10/18</u>]

Junk plans allow insurance companies to deny coverage to people with pre-existing conditions, limit care, and put consumers at risk of financial ruin and limit the care consumers get:

- Junk Plans Are Allowed To Discriminate Against People With Pre-Existing Conditions. "Policyholders who
  get sick may be investigated by the insurer to determine whether the newly-diagnosed condition could be
  considered pre-existing and so excluded from coverage." [Kaiser Family Foundation, 2/9/18]
  - As Many As 130 Million Nonelderly Americans Have A Pre-Existing Condition. [Center for American Progress, 4/5/17]
  - 1 in 4 Children Would Be Impacted If Insurance Companies Could Deny Or Charge More Because Of A Pre-Existing Condition. [Center for American Progress, 4/5/17]
- Junk Plans Can Refuse To Cover Essential Health Benefits. "Typical short-term policies do not cover maternity care, prescription drugs, mental health care, preventive care, and other essential benefits, and may limit coverage in other ways." [Kaiser Family Foundation, 2/9/18]
- Under Many Junk Plans, Benefits Are Capped At \$1 Million Or Less. Short-term plans can impose lifetime and annual limits "for example, many policies cap covered benefits at \$1 million or less." [Kaiser Family Foundation, 2/9/18]
- Commonwealth Fund: "Cost Sharing Designs In Short-Term Coverage Leave Members Facing Major,
  Unpredictable Financial Risk." "The out-of-pocket maximum for each best-selling plan is higher than that
  allowed in individual or employer plans under the ACA, when adjusting for the shorter plan duration. When
  considering the deductible, the best-selling plans have out-of-pocket maximums ranging from \$7,000 to \$20,000
  for just three months of coverage. In comparison, the ACA limits out-of-pocket maximums to \$7,150 for the entire
  year." [Commonwealth Fund, 8/11/17]
- Short-Term Junk Plans Can Retroactively Cancel Coverage After Patients File Claims. "Individuals in STLDI plans would be at risk for rescission. Rescissions are retroactive cancellations of coverage, often occurring after individuals file claims due to medical necessity. While enrollees in ACA coverage cannot have their policy retroactively cancelled, enrollees in STLDI plans can." [Wakely/ACAP, April 2018]

### Ernst, A Big Recipient Of Pharmaceutical Cash, Has Refused To Support Medicare Drug Price Negotiations

After nearly a full term in office, Joni Ernst has never taken a position on allowing Medicare to negotiate for lower prescription drug prices, while accepting more than \$50,000 in campaign contributions from pharmaceutical giants. Ernst also voted for the 2017 GOP tax law --- a giveaway to big pharma so large that just four pharmaceutical companies pocketed a massive \$7 billion in tax savings in 2018 alone, all while prices for patients continue to rise.

**Ernst Received A "Big Boost" In Contributions From Pharmaceutical Companies In 2019** "Another vulnerable Republican incumbent, Sen. Joni Ernst of Iowa, received about \$35,500 — a huge bump for a lawmaker who, before this year, had collected about \$15,000 total during her first term.." [Kaiser Health News, 8/27/19]

• Ernst Has Received Over \$50,000 In Pharma Contributions Over His Career. From 2007-2020 Ernst has received \$50,500 in contributions from pharmaceutical companies. [Kaiser Health News, 9/3/19]

## Ernst Claims That Rural Hospitals Are "Vital" But Her Policies Could Force Hospital Closures In Iowa

**Ernst Said It Was "Vital" To Retain Rural Hospitals.** "Ernst agreed, adding that it is 'vital to retain these rural hospitals,' and to 'start to identify some of the drivers of costs.' She added that the focus needs to be lowering the costs of healthcare, not just of health insurance." [Jones County Journal-Eureka, <u>8/31/17</u>]

**HEADLINE: "lowa's Rural Hospitals are Especially Vulnerable to Healthcare Bill's Medicaid Cuts"** [lowa Public Radio, <u>6/26/17</u>]

The Senate ACA Repeal Bills That Ernst Voted For Would "Make Things Harder For Iowa's Rural Hospitals." "The U.S. Senate is preparing to vote on its plan to repeal and replace parts of the Affordable Care Act, also known as Obamacare. The bill would cut funding for Medicaid, the program that provides health insurance for children, middle-income people in nursing homes, poor people, and people with disabilities. Medicaid cuts would make things harder for Iowa's rural hospitals and could jeopardize access to healthcare for rural residents. 'Given that Medicaid accounts for close to one-fifth of our revenue, it would be a significant detriment to us,' says Matt Ives, administrator and CFO at Keokuk County Health Center. The hospital and clinic serves a rural southeast Iowa county of about 10,000 people. 'Our county, just because of the nature of how it is we have probably 18 percent of the population is Medicaid,' Ives says. Small, rural hospitals like this one tend to serve populations that are poorer, sicker and older—and they operate on very thin financial margins. So any cuts to Medicaid will have a more pronounced impact at rural hospitals than at large, urban ones." [Iowa Public Radio, 6/26/17]

#### Rural Health In Iowa By The Numbers:

- 40 percent of lowa's non-elderly population lives in a <u>non-metro rural area or small town</u>.
- 7 percent of lowans living in rural areas are <u>uninsured</u>.
- Since the Affordable Care Act, the uninsured rate has fallen by 6 percent in rural parts of lowa.
- 20 percent of lowans living in rural areas have health coverage through Medicaid.
- The Affordable Care Act led to a \$142 million reduction in lowa uncompensated care costs. Between 2013 and 2015, lowa hospitals' uncompensated care costs decreased by \$142 million, or roughly 45 percent.
- 17 rural hospitals in lowa are at a <u>high financial risk</u> of closing. This represents almost 20 percent of the state's rural hospitals.