The Potential Impacts of the Midterm Elections on Public Health

December 6, 2018 1:00 p.m. EST

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How to Use WebEx Q & A

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Moderator

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- Research interests/areas of expertise:
  - Emergency Preparedness
  - Opioid Crisis
  - Reproductive Health and Technology
  - Obesity Prevention
  - Food Security
Presenter

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- Child Health
- Managed Care in Medicaid
- Disability Rights
Presenter

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- Research interests/areas of expertise:
  - Medicaid
  - Private Insurance
  - Scope of Practice
  - Family Planning
  - Reproductive Health Law
The Potential Impacts of the 2018 Midterm Elections on Public Health

Sarah Somers
Shift in Control at the House of Representatives
Revised Legislative Agenda:

• ACA Repeal
• Medicaid Block Grants
• Medicaid Work Requirements
State Government: Flip from GOP to Democratic

Governorships:
- Illinois
- Kansas
- Maine
- Michigan
- Nevada
- New Mexico
- Wisconsin

Legislatures:
- Colorado
- Connecticut
- Maine
- Minnesota
- New Hampshire
- New York
Ballot Initiatives

Utah

+18

+8

Idaho

+32

+22

Nebraska

+6

+25
Senate remains unchanged
...and will continue to appoint judges
Executive Actions Will Continue

- 1115 Waivers in Medicaid
- “Public Charge” requirements
- Reproductive health issues
Supporters

The Network for Public Health Law is a national initiative of the Robert Wood Johnson Foundation.
The Potential Impacts of the Midterm Election on Reproductive Health

Network for Public Health Law
December 6, 2018
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Public Health, Reproductive Health, and Health Equity

• Public Health
• Health Equity
• Reproductive
  • Rights
  • Health
  • Justice
• Reproductive Health Equity
Ballot Initiatives and Reproductive Health

• Oregon Measure 106
  • REJECTED: 64.5% against

• West Virginia Amendment 1
  • PASSED: 51.7% in favor

• Alabama Amendment 2
  • PASSED: 59% in favor

• Nevada State Question 2
  • PASSED: 56% in favor

• Massachusetts Question 3
  • PASSED: 69% in favor
State Legislatures and Reproductive Health

- Chambers swung blue
  - CO Senate*
  - CT Senate*
  - ME Senate*
  - MN House
  - NH House & Senate+
  - NY Senate*

- Broken GOP supermajorities
  - NC House & Senate
  - MI Senate+
  - PA Senate

*Gained Democratic trifecta
+ Fallen Republican trifecta
Governors and Reproductive Health

• Pro-Choice Governors (Re)Elected:
  • Colorado’s Jared Polis*
  • Connecticut’s Ned Lamont*
  • Illinois’ J.B. Pritzker*
  • Kansas’ Laura Kelly
  • Maine’s Janet Mills*
  • Michigan’s Gretchen Whitmer+
  • Nevada’s Steve Sisolak*
  • New Mexico’s Lujan Grisham*
  • New York’s Andrew Cuomo*
  • Wisconsin’s Tony Evers

  *Gained Democratic trifecta
  + Fallen Republican trifecta

• Anti-Choice Governors (Re)Elected:
  • New Hampshire’s Chris Sununu+
Medicaid Litigation and Reproductive Health

• Medicaid “Qualified” Providers
  • 42 U.S.C. § 1396a(a)
  • Requires participating states to include in their plans the ability of individuals to obtain services from any “qualified” provider

• Anti-Choice Executive Action
  • States hostile to reproductive health have attempted to kick abortion providers and Planned Parenthood clinicians out of the state Medicaid program, claiming they are not “qualified”

• Issue Before SCOTUS
  • Whether the Medicaid Act created an implied private right of action to challenge a state’s determination that a provider is not “qualified”
  • Up for Conference 11/30/18
Thank You!
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Key Public Health Initiatives: A Year in Review
NEXT WEEK: December 13, 1:00 – 2:30 p.m. EST

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