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Subject: Decision Time: What Will King v. Burwell Mean for States?

Newsletter

June 16, 2015

Decision Time: What Will *King v. Burwell* Mean for States?

For months we have watched and speculated how the Supreme Court would rule in the *King v. Burwell* case. NASHP has released a number of [materials](#) to help states as they prepare to take the next steps regardless of how the court rules.

What is at stake?

- A pro-*King* ruling means 34 states currently operating without a state-based exchange stand to lose subsidies potentially leaving millions of Americans without access to affordable health care.
- A ruling against *King* would provide some certainty to the Affordable Care Act and allow for new opportunities to advance reform.

[New Mexico's State-Based Marketplace: Exchange: An Emerging Model](#)

[Chart: 2015 State Legislative Activity: Health Insurance Exchanges](#)

[Blog: Maine Takes Steps Towards Becoming First State to Legislate Back-up Plan for *King v. Burwell*](#)

[State-Only Teleconference Summit: July 9, 2015](#)

Are states ready for the decision?

While no states have legislated a back-up plan, a number of states have considered bills for the creation of a state-based exchange. An updated [State Refor\(u\)m chart](#) outlines state legislative activity surrounding exchanges this session.

Maine has come closest to enacting a law, in the event of a decision for the plaintiff, with [LD 1344](#), "An Act to Protect Maine Consumers in the Individual Health Insurance Market and Support Maine's Economy". Currently awaiting a final vote in the Senate, the bill allows the state to establish a state-based health insurance exchange should the U.S. Supreme Court strike down the ability for the Federally Facilitated Marketplace (FFM) to continue to provide subsidies. See [Trish Riley's latest blog](#) post on this legislation.

In an [issue brief](#) earlier this year, NASHP identified considerations and policy options for states pending the outcome of *King v. Burwell*.

Are there new models states can follow if there is a pro- *King* decision?

A [new brief from NASHP](#) looks at one proposed model, New Mexico's SBM. This brief provides a detailed examination of New Mexico's proposed model including an analysis of the applicability of the model to FFM or SPM, a breakdown of exchange responsibilities, and comparison to other existing marketplace models.

What's next?

Join NASHP for:

[State-only Teleconference Summit: Next Steps After King v. Burwell](#)

July 9, at 2 p.m. (ET).

This Summit, off-the-record and open to states' executive and legislative branch employees only, will look at exactly what the Court ruled and what the decision may mean for states.

A brief presentation from Sara Rosenbaum, J.D., Harold and Jane Hirsh Professor of Health Law and Policy, George Washington University, will be followed by "round robin" of reactions from NAIC, NAMD, NCSL, and state-based exchanges.

Webinar:

[Children's Coverage Beyond CHIP: Policy Considerations for States](#)

- Date: Thursday, Jun 25, 2015
- Time: 12:30 PM EDT

Although federal funding for the Children's Health Insurance Program (CHIP) was recently extended through FFY2017, it is unclear if CHIP will continue beyond that date. As a result, children may need to transition to other sources of coverage in the future. This two-year funding extension can provide state and federal policymakers with an opportunity to address important policy issues to ensure children continue to receive affordable and appropriate health care.

Through this webinar, NASHP is bringing together a national expert and officials from three different state health and insurance agencies to surface issues and questions about the future of children's coverage.

- [Registration](#) NOW OPEN!
- [Make Your Hotel Reservation](#) at the [Sheraton Dallas Hotel](#)
- [Sponsorships](#) and [Exhibit Space](#) still available
- Check out the [Preliminary Agenda](#)

Designed by state health policymakers for state health policymakers, the National Academy for State Health Policy's annual conference continues to be the premier educational and networking

event for industry professionals.

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For more information about sponsorship and exhibitor opportunities, please email or call Ellen Troups at etroups@nashp.org or 202-507-7595.

Job Opportunity at NASHP

Research Analyst

The National Academy for State Health Policy (NASHP) is seeking an individual to join the Policy Team as a Research Analyst. The primary focus of this work will be on emerging state and federal issues including state implementation of the ACA, state policies related to private and public health coverage, and health care cost control.

NASHP has offices in Washington, DC and Portland Maine; this position may be located in either office...[read more](#).

National Academy for State Health Policy

The National Academy for State Health Policy (NASHP) is an independent academy of state health policymakers who are dedicated to helping states achieve excellence in health policy and practice. A non-profit and non-partisan organization, NASHP provides a forum for constructive work across branches and agencies of state government on critical health policy issues. For more information visit www.nashp.org.

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