



COMMONWEALTH of VIRGINIA

Executive Department

Executive Directive Five (2019)

Access to Affordable, Quality Health Care Coverage

Importance of the Issue

Prior to the passage of the federal Patient Protection and Affordable Care Act (ACA), Virginians seeking access to health care faced significant barriers. One of the barriers was pre-existing condition exclusions, which either denied access to commercial health insurance outright or allowed an individual to obtain insurance but not for the services related to the pre-existing condition. Others fell into the Medicaid coverage gap, which meant that they were ineligible for Medicaid under the traditional requirements, yet their income proved to be too low to qualify for the Affordable Care Act's subsidies and credits. This put meaningful health care coverage out of reach.

When individuals and families have quality meaningful coverage, they can access critical services to treat medical and behavioral conditions before symptoms hinder physical, social, and emotional wellbeing. Individuals and families with a stable source of health coverage are more likely to obtain and maintain employment, complete educational goals, and report a higher overall satisfaction and quality of life. Virginia took a step in the right direction by expanding access to Medicaid to approximately 400,000 Virginians as of January 1, 2019. Medicaid expansion, coupled with reforms to make coverage in the private market more affordable, could help cut the uninsured rate in Virginia by more than half.

Unfortunately, recent federal actions threaten Virginia's trajectory to expand affordable healthcare coverage to more people across the Commonwealth. Whether through the expansion of substandard health plans, reduction in federal support for consumer outreach and enrollment assistance, Medicaid work requirements without appropriate employment supports, or increasing barriers to enrollment in comprehensive plans (including shortening the open enrollment period), federal policies are making meaningful coverage out of reach. If left unchecked, these policies will reduce affordability, decrease quality, and increase the number of Virginians forced to go uninsured or underinsured. To minimize the adverse impact these harmful federal policies can have on Virginians entails an unwavering commitment to a multipronged strategy that leverages state resources, achieves affordability through state innovation, and prioritizes consumer interest and protection. Achieving measurable improvement will require leaders at the highest levels of state government to direct and prioritize the resources and activities that will have the greatest impact on improving access to health coverage, as well as ensure each individual is treated equitably and with dignity and respect.

Access Health Care Coverage

By virtue of the authority vested in me as Governor, I hereby direct the Secretary of Health and Human Resources (Secretary) to identify, develop, and implement actions that will increase the number of Virginians enrolled in quality, affordable health care coverage.

This Executive Directive is premised on a steadfast commitment by this Administration to ensure that all Virginians, regardless of race, sex, color, national origin, religion, ability status, sexual orientation, gender identity or expression, age, or political affiliation can afford meaningful high-quality health coverage.

The Secretary, in collaboration with the Secretaries of Finance and Public Safety and Homeland Security, is directed to review policies and programs to promote greater access and enrollment in meaningful, affordable health insurance coverage. The Secretary shall work with other state agencies, community partners, providers, health plans, and policy makers to implement policies and processes that will result in measurable and sustained improvement in access to affordable health care coverage.

Directive to Ensure Access to Affordable, Quality Health Care Coverage

Accordingly, pursuant to the authority vested in me as the Chief Executive Officer of the Commonwealth and pursuant to Article V of the Constitution of Virginia and the laws of the Commonwealth, I hereby issue the following directives to promote health coverage and meaningful access for all Virginians. The Secretary shall pursue the following:

Leverage State Resources

- Improve and streamline eligibility and enrollment policies, processes, and systems to ensure timely access to needed health and social services.
- Target data-driven outreach strategies and resources to measurably increase health and other benefits coverage of eligible but not yet enrolled Virginians.
- Foster community partnerships in order to further promote and advance progress for equity in health care and outcomes.

Provide Affordability through State Innovation

- Address outlier health care costs to reduce health insurance premiums statewide.
- Develop an approach that allows Virginia to make decisions that best meet the specific needs of the Commonwealth's consumers.
- Develop a data-driven strategy to create efficiencies in coverage and improve health outcomes, with a special focus on particularly vulnerable populations, including but not limited to: pregnant women, justice-involved populations, non-English speaking populations, individuals with disabilities, and youth in foster care.

Focus on Consumers

- Develop a publicly-available Language Access Plan to regularly assess compliance with accessibility and usability of services, regardless of reading level, limited English proficiency, or disability.
- Propose actions to evaluate and improve consumer communications, including applications, notices, marketing, and outreach; and ensure that such communications whether written, electronic, or spoken, are fully accessible to all individuals and provide clear information.
- Increase transparency of health care coverage choices to empower consumers to make informed, timely decisions about which services and plans best meet their individual/family needs.
- Improve consumer protection policies for short-term limited duration plans and association health plans.
- When relevant, the Secretary shall provide an implementation timeline and/or legislative proposals.

Effective Date

This Executive Directive shall become effective upon its signing and shall remain in full force and effect until amended or rescinded by further executive directive.

Given under my hand and under the Seal of the Commonwealth of Virginia this 15th day of October, 2019.



Handwritten signature of Ralph S. Northam in black ink.

Ralph S. Northam, Governor

Attest:

Handwritten signature of Kelly Thomasson in black ink.

Kelly Thomasson, Secretary of the Commonwealth