



Highlights from the Hill

August 2018

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National Advocacy

Administration Releases Final Rule on Short-Term, Limited-Duration Plans

On August 1, 2018, the Departments of Health and Human Services, Labor, and the Treasury issued a final rule on short-term limited-duration health plans. Under the final rule, consumers could purchase short-term plans that cover an initial period of just under 12 months and could be renewed for up to 36 months. The final rule reverses the previous maximum period of short-term plans, which was 3 months.

These plans are not required to cover the [ten essential health benefits](#) afforded by the Affordable Care Act (ACA). Short-term plans can also charge more or deny coverage if a patient has a pre-existing condition. Again, as with Association Health Plans, these short-term plans are expected to siphon healthier people out of the marketplace, most likely resulting in higher premiums and further destabilizing the marketplace.

The Epilepsy Foundation [signed onto a statement](#) with over 26 other patient advocacy organizations expressing serious concern over the decision to finalize this short-term, limited-duration rule, which will reintroduce health insurance discrimination based on gender, health status, age, and pre-existing conditions. We will continue to monitor any policies or regulations that compromise access to quality, affordable health care.

Read more about our efforts on the ACA and protecting patients with pre-existing conditions at advocacy.epilepsy.com/ACA.

Epilepsy Foundation Celebrates 28th Anniversary of the Americans with Disabilities Act

July 26, 2018 marked the 28th anniversary of the signing of the Americans with Disabilities Act (ADA). To commemorate the anniversary, the Epilepsy Foundation participated in the National Council on Independent Living's (NCIL) March and Rally for Disability Rights in Washington, D.C. Additionally, former Congressman Tony Coelho, who helped author the ADA and a long-term member of the Epilepsy Foundation Board of Directors, [released a statement on the anniversary of the ADA](#).

Read the Epilepsy Foundation's statement on the anniversary of the ADA [here](#).

Check out our recent advocacy efforts on discrimination and disability rights at advocacy.epilepsy.com/ADA.



On July 24, 2018, the Epilepsy Foundation participated in the National Council on Independent Living's (NCIL) March and Rally for Disability Rights in Washington, D.C.

STATE ADVOCACY

New York Creates Pathway for FDA-approved Therapies Derived from CBD

On July 31, 2018, Governor Cuomo signed Assembly Bill 10468 into law. New York is now the sixth state during the 2018 legislative session to create a pathway for FDA-approved therapies derived from CBD. With the recent approval of Epidiolex®, it will become very important for states that require rescheduling of therapies derived from CBD legislatively to act. The Epilepsy Foundation is committed to supporting such legislation in the upcoming 2019 state legislative session.

Learn more about our advocacy efforts at advocacy.epilepsy.com/statefdapathway.

Continuity of Care Bill Passes Illinois State Legislature

The Illinois State Legislature passed House Bill 4146 and sent the bill to Governor Rauner's desk on June 29, 2018. This bill would prevent insurers from changing the medications they cover during the plan year. Without this bill, health plans are free to end or change coverage for a particular medication mid-year. Changes to health plans mid-year are concerning to the epilepsy community because epilepsy medications are not interchangeable, and individuals rely on them to maintain seizure control. To change, limit, or deny access to medications could be extremely dangerous.



In April 2018, Governor Bevin signed the Lyndsey Crunk Act (House Bill 147) into law. This law will improve the care of students with epilepsy and seizure disorders in schools. On July 26, 2018, the Epilepsy Foundation of Kentuckiana (EFKY) attended a ceremonial signing of the bill with Governor Bevin. Several families are pictured along with Deb McGrath, Executive Director of EFKY, Lyndsey Crunk, Charles Wilson, and Jackson Sturgeon. Crunk, Wilson, and Sturgeon are former [Teens Speak Up! participants](#).

Epilepsy Foundation Submits Comments to Alabama Department of Insurance

The Affordable Care Act (ACA) requires that all non-grandfathered health plans sold in the individual and small group markets and in the marketplace cover [essential health benefits](#)

(EHBs). States must choose an EHB benchmark plan from among the following ten plans operating in the state: the three largest small group plans, the three largest state employee health plans, the three largest federal employee health plan options, or the largest HMO offered in the state's commercial market. This EHB benchmark plan will define the essential health benefits that must be covered by plans in the state.

On July 31, 2018, the Epilepsy Foundation and the Epilepsy Foundation of Alabama [submitted a joint comment letter](#) to the Alabama Department of Insurance to oppose proposed revisions to the state's EHB Benchmark Plan. We shared concerns with the Department that the proposal would reduce the number of anticonvulsants medications offered by 30 percent. We urged them to ensure that a wide range of therapeutic options are available.

On August 9, 2018, the Department of Insurance, partially as a result of comments received, elected to withdraw the EHB Benchmark Plan application with the Centers for Medicare and Medicaid (CMS). At this time, there will be no changes to the EHB Benchmark Plan for Alabama. This is a great success for the epilepsy community in Alabama.

Visit advocacy.epilepsy.com/states to find out what else is going on in your state.

We encourage you to invite others to join our [Speak Up, Speak Out!](#) advocacy network. Members receive the monthly *Highlights from the Hill* newsletter and alerts about opportunities to advocate for the epilepsy community throughout the year. Growing our advocacy network is critical to achieving our public policy goals as we move through busy state and federal legislative sessions. Make a difference today by sharing our Speak Up, Speak Out! Network on [Facebook](#) and [Twitter](#).

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