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Lawmakers strike ban against expanding Medicaid

Health care • Senate reverses course on House bill, inserts a plan that delays decision affecting tens of thousands.

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A bill prohibiting Utah's governor from opting into Obamacare's Medicaid expansion passed through both the House and Senate late Wednesday — after senators stripped it of the prohibition.

A substitute version of HB391 represents a 180-degree turn from its predecessor, which Sen. Todd Weiler, R-Woods Cross, feared would have prematurely cut off debate on one of the most important policy decisions of the year.

"One of the lessons I hope we've learned is bringing out a brand new bill at the end of session and limiting public comment is probably not a good idea," said Weiler, referring to a controversial attempt two years ago to overhaul Utah's open-records law.

Weiler's amendments would free the governor to decide whether to stretch Medicaid to cover up to 131,000 poor and uninsured Utahns, but only after public release of a twice-delayed cost study and "thorough analysis" of charity care alternatives by the legislative Health Reform Task Force. Should Gov. Gary Herbert opt into the expansion, he would have to seek funding approval from the Legislature.

The substitute bill passed unanimously, 27-0, and then passed the House with the sponsor's blessing, 51-23.

Rep. Jacob Anderegg, R-Orem, said the bill was a compromise and not "a complete cut-off" from the Medicaid expansion.

But Rep. Rebecca Chavez-Houck, D-Salt Lake City, warned lawmakers to remember that each year the state didn't participate in the expansion was time lost.

"The clock is ticking," she said. "Be mindful of that."

While stressing he is not advocating the expansion, Weiler said he wants more opportunity for public and legislative input on a major and divisive policy shift.

"If we don't expand Medicaid we are going to upset tens of thousands of people, most of whom have emailed me in the last 24 hours," he said. "And if we expand Medicaid, we're going to upset tens of thousands of people."

Just this week Health and Human Services Secretary Kathleen Sebelius agreed to an Arkansas alternative wherein the state would use federal money to buy private health insurance for those who would otherwise be covered under the expansion — a solution similar to the block grant idea pitched for months by Herbert.

"I don't know why we want to tie our hands now when the landscape is shifting," said Weiler.

Democrats joined Republicans in backing Weiler's proposal as insurance against snap judgements.

"I'm able to breathe easier now," said Salt Lake City Democratic Sen. Luz Robles.

An estimate by the Legislative Fiscal Analyst predicts the expansion would be a money-maker, saving the state \$6 million in 2014 and \$16 million in 2015.

"This is probably the biggest health-care decision we'll be making in years," said Sen. Brian Shiozawa, R-Cottonwood Heights, an emergency doctor. "I appreciate the deliberate process the governor is taking."

— David Montero contributed to this report

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