

**ACA: Past, Present, and Future of Obamacare**  
**COURSE SYLLABUS**  
Summer 2017

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**Class Schedule:** Saturday, July 29–Wednesday, August 2

**REQUIRED MATERIALS**

There is no required text for this course. Classwork will rely on cases, statutes, regulations, and articles publicly available. The materials are listed and hyperlinked below. Please complete all preparation prior to the start of the course. Coursework may also include guest speakers, exercises, and/or videos to be completed in class.

**COURSE OBJECTIVES**

The purpose of this course is to provide a comprehensive overview of recent health care reform. It offers an introduction to the Affordable Care Act (ACA), its implementation, and options to replace and/or supplement that legislation. Students will discuss not only law but also political and/or institutional factors that influence the operation, enforcement, and/or further development of modern health reform. It also looks forward to reforms intended to replace the ACA.

Students will:

- Be conversant in health law terminology
- Identify and know where to access health laws and regulations
- Explain sources of health coverage and care
- Articulate the major provisions of the ACA
- Analyze ACA implementation
- Discuss and propose next steps in repealing, replacing, or reforming the ACA

The syllabus is subject to change at the professor's discretion.

**CLASSROOM EXPECTATIONS**

- Complete any coursework assigned prior to class
- Attend class. The condensed structure of the course makes attendance essential. If absence is unavoidable, email the instructor prior to the class providing the reason for the absence. Make-up work may be assigned. An unexcused absence will adversely impact a student's final grade.

- Participate. The most helpful comments will clarify covered materials, raised relevant questions, or advance classroom discussion. Participation grades are factored in at the end of the semester.

## GRADING

The course grading consists of two parts: participation (60%) and a final (40%). The final will be a take-home, open-source exam, likely multiple choice. The instructor retains the right to adjust the final format.

- Final: 60%
- Participation: 40%

## TOPICS

### Day 1: Basics—Health Policy and ACA Passage

The purpose of this day is to establish a foundational knowledge of the American health care system, relevant terminology and structures, policy frameworks, and the history of ACA passage.

- Terminology: Please familiarize yourself with the terminology in the Kaiser Family Foundation Health Reform Glossary available at <http://www.kff.org/glossary/health-reform-glossary/>.
- System: Watch the Khan video available at <https://www.khanacademy.org/science/health-and-medicine/health-care-system/v/healthcare-system-overview>.
- Goal: Review the Triple Aim available at <http://www.ihl.org/Engage/Initiatives/TripleAim/Pages/default.aspx>. Review this *Health Affairs* article available at <http://content.healthaffairs.org/content/27/3/759.full.pdf+html>.

### Day 2: ACA—Major Provisions and Regulations

The purpose of this day is to examine and analyze the major statutory and regulatory elements of the ACA.

- Overview: Review this Kaiser Family Foundation list of ACA provisions at <http://www.kff.org/health-reform/fact-sheet/summary-of-the-affordable-care-act/>.
- Please read the following excerpts of the ACA, available at <https://www.gpo.gov/fdsys/pkg/PLAW-111publ148/pdf/PLAW-111publ148.pdf>.
  - QHP: section 1301, page 162-163
  - EHB: section 1302, page 163-168
  - Individual mandate: Section 1501, pages 242-244

- We will cover the employer mandate, Medicaid expansion, and exchange language in class.

### *ACA Regulations*

- We will read excerpts of regulations for an in-class exercise. Before class, please read the following regulation summary:
  - Nondiscrimination: Read the HHS Summary of the Final Rule available at: <https://www.hhs.gov/sites/default/files/2016-06-07-section-1557-final-rule-summary-508.pdf>.

### **Day 3: ACA—Legal Challenges**

The purpose of this day is to understand and critique the main legal challenges to the ACA.

- *NFIB v. Sebelius*. Read the opinion, concurrences, and dissents at <https://www.oyez.org/cases/2011/11-39>. Background and oral arguments are optional and available at the same link.
- *Hobby Lobby*: Read the case syllabus at <https://supreme.justia.com/cases/federal/us/573/13-354/>. Background, the full opinion, and oral arguments are optional and available at <https://www.oyez.org/cases/2013/13-354>.
- *King v. Price (formerly King v. Burwell)*. Read the case syllabus at <https://supreme.justia.com/cases/federal/us/576/14-114/>. Background, the full opinion, and oral arguments are optional and available at <https://www.oyez.org/cases/2014/14-114>.

### **Day 4: The ACA—States**

The purpose of this day is to explore how states have differed in their ACA implementation.

- Read the Commonwealth Fund report (pages 1-18) on ACA implementation by states available at [http://www.commonwealthfund.org/~media/files/publications/fund-report/2014/jan/1727\\_keith\\_implementing\\_aca\\_state\\_of\\_states.pdf?la=en](http://www.commonwealthfund.org/~media/files/publications/fund-report/2014/jan/1727_keith_implementing_aca_state_of_states.pdf?la=en).

### **Day 5: Reform—What's next?**

The purpose of this day is to discuss possible reforms to the ACA and the future of the American health care system.

- Please stay current on coverage of the AHCA. I recommend Kaiser Health News ([www.khn.org](http://www.khn.org)), *Politico*, the *Washington Post*, the *New York Times*, and the *Wall Street Journal*.

- Familiarize yourself with the Kaiser Family Foundation ACA and AHCA comparison tool available at <http://www.kff.org/interactive/proposals-to-replace-the-affordable-care-act/>.