

Obamacare's health insurance marketplaces to go live

Written by Australian Business

September 20, 2013 /**24-7PressRelease**/ -- In March 2010, President Barack Obama signed the massive Patient Protection and Affordable Care Act, known as the ACA and coined "Obamacare." On Oct. 1, 2013, the most publicly facing part of the health care reform law will take effect: the "[health insurance marketplaces](#)."

The marketplaces

Consumers will be able to purchase affordable, private health insurance through their respective state marketplaces, which will provide user-friendly details about the policies available to them. The marketplaces, sometimes called exchanges, will be on the Internet and applications can be made online, by mail or phone, or in person. Neutral customer service agents dubbed "navigators" will assist people with their insurance options.

States decided whether to run their own exchanges or let the federal government do so, which more than half the states have chosen to do. Some in the media report that monthly premiums will be even lower than predicted.

A marketplace applicant will provide personal information like family size and income to learn whether he or she is eligible for a publicly subsidized, reduced monthly premium. For those with even lesser means, Obamacare expands eligibility for Medicaid and the Children's Health Insurance Program or CHIP, both public health care programs that together cover millions of low-income people like those with disabilities, children, seniors, parents and pregnant women. Medicaid is called Medical Assistance in many states and some have their own name like MassHealth in Massachusetts.

States may opt out of the Medicaid expansion and about half have chosen to do so, according to Kaiser Family Foundation. This will likely leave many without health insurance because the poorest in those states are not eligible for subsidies, apparently because it was envisioned that they would be eligible for Medicaid.

The Star Tribune reports that an estimated 49 million to more than 50 million are uninsured in the U.S. When the marketplaces go live, many people without insurance or who seek cheaper premiums will likely participate.

Basic provisions

Modeled after Massachusetts health care reform, the 906-page ACA will generate hundreds of federal implementing regulations, as well as related state laws and regulations. Here are some major provisions, with the caveat that some apply to all health insurance policies (even those pre-existing Obamacare or offered by employers) and some only to newly issued ones; and that some are already effective and others will take effect in the future:- Children are eligible for coverage through their parents' policies until age 26.- People will be mandated to have "minimum essential coverage" or face modest fines, although some elderly, certain lower-income people, members of particular "recognized religious sects" and of "federally-recognized Indian tribes" will be exempt.- People with pre-existing medical conditions may no longer be denied health insurance, nor may their rates be higher.- Essential services may not be excluded like those for maternity and mental health.- Lifetime limits will be eliminated.- Emergency care may be sought anywhere.- High rate increases must be justified.- Rebates must be issued if insurers spend too much on administration.- Certain preventive care must be completely covered.- And more.

Impact on medical malpractice lawsuits?

Obamacare does not address [medical malpractice](#) lawsuits for injuries and fatalities from substandard medical care. Some believe that the number of medical malpractice suits will increase because more medical care will be provided overall to the millions who were previously not getting it.

Legal advice

If you or a loved one experiences injury through the negligence or recklessness of a health care provider, discuss the situation with an experienced medical malpractice attorney.

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