



# Louisiana Insurers Accept Ryan White Funds for ACA Premiums

March 12, 2014

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Three Louisiana health insurance companies have agreed to continue accepting federally-funded third-party payments for premiums, according to a statement from the LGBT group Lambda Legal, which with the New Orleans AIDS Task Force filed a federal class action discrimination lawsuit against the insurers.

Blue Cross and Blue Shield (BCBS) of Louisiana was the first to decide not to accept third-party payments. BCBS was going to discontinue accepting those payments as of March 1. After that decision by BCBS, Louisiana Health Cooperative and Vantage Health Plan also decided to discontinue accepting those payments.

Following those decisions, Lambda Legal filed administrative complaints with the U.S. Department of Health and Human Services (HHS) Office of Civil Rights. After that step, Lambda Legal filed suit against BCBS in the U.S. District Court for the Middle District of Louisiana.

In addition to a ruling on alleged discrimination, Lambda Legal also was seeking an emergency injunction to force all three companies to accept third-party payments until the suit was heard. During a hearing for the injunction, the three insurers agreed to accept those payments through November 15, which is when the next open enrollment period begins.

BCBS claims to have made its initial decision based on 2013 guidance from the Centers for Medicare and Medicaid Services (CMS), which cited the risk of fraud as a concern in accepting third-party payments. However, a spokesperson for CMS has clarified payments from the Ryan White program should remain acceptable.

If the initial decisions by the insurers had been implemented, many hundreds of people with HIV/AIDS in Louisiana receiving assistance under the federal Ryan White CARE Act who enrolled in plans under the Affordable Care Act (a.k.a. the health care reform law, or ACA) would have been in danger of losing their ACA health care coverage.

The people who might have been affected fall into a financial gap. They cannot enroll in Medicaid since Louisiana chose not to expand it under the ACA. Further, they cannot receive federal subsidies outside of the Ryan White program to pay for ACA premiums because they do not meet the minimum of at least being at 100 percent of the federal poverty line. Ryan White funds are

their only option to pay premiums for ACA plans.

To read the statement, [click here](#).

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