What Do Trump's Nominations Mean for People With HIV?

A look at Ben Carson for HUD, Jeff Sessums as attorney general, and Seema Verma for Medicaid and Medicare.

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As we move closer to Inauguration Day on January 20th, President-elect Trump and his transition team have slowly started naming the nominees for top spots in his administration. Much like Trump himself, these nominations have been unpredictable, unorthodox, and in certain instances, baffling. Identifying and analyzing key players in the new administration is critical to restructuring AIDS United's strategy and educating people living with HIV as to what these appointments might mean for their future. HIV touches on many different policy areas beyond health care, so it is important to recognize the impact new leadership in a variety of government agencies will have on people living with or at risk for HIV. Last week, we reviewed information about the new designate for the Secretary of Health and Human Services, Tom Price. This week we review the nominees for Secretary of Housing and Urban Development, Attorney General, and Administrator of the Centers for Medicare and Medicaid Services (CMS).

Dr. Ben Carson – Housing and Urban Development (HUD)

As with the Trump presidency, Dr. Ben Carson's nomination as the Secretary of Housing and Urban Development (HUD) brings uncertainty. When Dr. Carson was being considered as Secretary for the Department of Health and Human Services, Armstrong Williams, a friend and adviser of Dr. Carson, told the press that "Dr. Carson feels he has no government experience; he's never run a federal agency. The last thing he would want to do was take a position that could cripple the presidency." Now that Dr. Carson has been named HUD Secretary, despite no professional history with housing or urban development, it is unclear what direction he will move the $45 billion agency. Dr. Carson fundamentally opposes governmental assistance programs that he believes could lead to "dependency" and attributes individual will as the means to overcome poverty. It is worrisome that Dr. Carson easily dismisses the critical and supportive role government programs have played not only in his own life, but also in the lives of millions of Americans who rely on the safety net for stability and wellness. There is little public record about what Dr. Carson thinks of HIV related issues, including the Housing Opportunities for Persons with AIDS (HOPWA) program which he now has control over. Dr. Carson did not answer the HIV survey that was sent to him during the Republican primary when he was a candidate for President. As a distinguished physician, we at AIDS United hope Dr. Carson recognizes the intersection between affordable housing and better health outcomes.

Senator Jeff Sessions – Attorney General

Senator Jeff Sessions (R-AL) has a relatively traditional resume for the position of Attorney General. He is known for his unwavering conservative ideology and has served as a U.S. Attorney beginning in the Reagan Administration, the Attorney General of Alabama, and as a Senator for the last two decades. In Congress, Sen. Sessions has generally been responsive to local HIV/AIDS issues in Alabama and hosted a roundtable aimed at educating congressional members about the HIV epidemic in the South. Additionally, he has voted in favor of the Ryan White Program reauthorizations since he became a Senator. Unfortunately, over the course of his political career, Sen. Sessions has proven himself to be a fierce opponent of civil rights for people of color, immigrants, and individuals who use drugs. During his time in Congress, Sen. Sessions has often taken the lead on the crackdown of undocumented immigration, while also openly disparaging documented immigrants based on their country of origin. Sen. Sessions also has an extensive record when it comes to opposing the basic rights of LGBT Americans, having supported legislation banning same-sex marriage, LGBT military service, and has opposed protection from workplace discrimination protection for LGBT people.

Additionally, Sen. Sessions is likely to ramp up America's war on drugs, with his views of marijuana standing in direct conflict with relaxed laws in many states. Sen. Sessions continues to fight for mandatory minimum sentences for most crimes and may reverse efforts to reform the criminal justice system. In the past, Sen. Sessions was rejected for a federal judgeship based on alleged racist rhetoric. If able to successfully push his ideology through the Department of Justice, we could see this country take major steps backwards in terms of civil rights and inclusion as indicated by his past with the Voting Rights Act.

Seema Verma—Administrator of Centers for Medicare and Medicaid Services (CMS)

With over 40% of people living with HIV receiving Medicaid and about a quarter receiving Medicare, the Centers for Medicare and Medicaid Services (CMS) plays a very direct role in the lives of people living with HIV/AIDS. Seema Verma, a seasoned Medicaid consultant, was recently tapped to lead the agency. In addition to working on Iowa, Ohio, and Kentucky's Medicaid expansion proposals, Ms. Verma most notably worked closely with Vice President-Elect Pence and was integral in designing and implementing Healthy Indiana Plan 2.0 (HIP 2.0), Indiana's Medicaid expansion under the Affordable Care Act. Her work on this system in Indiana continued during the HIV outbreak that occurred in Scott County Indiana in 2015. As a result, many residents of the county were enrolled in Medicaid as part of the response to ensure that they received HIV treatment and care as quickly as possible.

HIP 2.0 requires recipients to pay a monthly premium into a Personal Wellness and Responsibility (POWER) health savings account based on an annual income scale. The monthly fee is as low as $1.00 per month for those who make 0-5% of the Federal Poverty Level (FPL) and is limited to 2% of monthly income for those 101-138% FPL. A missed payment has severe consequences, including locking recipients out of coverage for a six-month probation period for those above 100% FPL and dropping those who are below 100% FPL into a lower coverage plan with no dental or vision benefits and additional co-pays. Typically, Medicaid expansion programs do not allow these

types of provisions, but Indiana obtained a federal waiver to implement HIP 2.0. Given her involvement with HIP 2.0, there is speculation that it may be a model for Medicaid as part of the conservative effort to repeal and replace the Affordable Care Act. Though there are a variety of possible payment options, AIDS United is concerned that HIP 2.0 fails to take into account the lack of means and resources some Medicaid recipients will have to hurdle including physical and mental health limitations, access to funds, and geographic location. Those who qualify as medically frail will have access to the state plan benefit package and be exempt from any lockout of coverage. HIV/AIDS is a condition that can qualify individuals for medically frail status, but severity of the condition might also be taken in to account. It will be more important than ever to advocate for the more than 40% of people living with HIV that are receiving Medicaid benefits.

These nominations further highlight the uncertainty surrounding the new administration. They contrast with recent progress in the U.S. on civil rights for racial, sexual and gender minorities, criminal justice reform, and care for our nation's most vulnerable. AIDS United will continue to hold federal agencies accountable for the wellbeing of all Americans, especially those living with HIV/AIDS. We urge appointees to review how their policies will impact those they have been nominated to serve and to ensure that all people living with HIV are able to have their needs for care, treatment, and housing met and to have access to a fair justice system that will decriminalize HIV exposure and continue to protect people living with HIV from discrimination and stigma.

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