



AMERICAN CIVIL LIBERTIES UNION OF UTAH
355 NORTH 300 WEST, SALT LAKE CITY, UT 84103
(801) 521-9862 PHONE • (801) 532-2850 FAX
ACLU@ACLUUTAH.ORG • WWW.ACLUUTAH.ORG

The American Civil Liberties Union (ACLU) is the nation's largest non-partisan guardian of freedom with more than 1.5 million members and supporters and affiliate or national chapter offices in all fifty states and Puerto Rico.

The ACLU of Utah, chartered in 1958 as the Utah affiliate, operates through public education, legal advocacy, litigation, and lobbying at both the state and local levels to ensure the constitutional rights and freedoms of everyone living in or visiting Utah. The ACLU of Utah receives no government funding and is supported by nearly 7,000 Utahns through membership dues and private donations, as well as small foundation grants, and court-awarded legal fees.

The ACLU of Utah opposes the addition of a “community engagement” or work requirement to Utah’s Adult Expansion Amendment Request for the 1115 Primary Care Network Demonstration Waiver.

Despite the apparent guardrails built into the proposal, common sense and past experience shows that Utah adults otherwise eligible for Medicaid will lose their healthcare benefits due to the additional documentation and paperwork burdens created by the work requirement. Evidence from other states, including Washington and Louisiana, demonstrates that adding new reporting and paperwork requirements reduces enrollment among people otherwise eligible for Medicaid—a real-life example of death by a thousand paper cuts.

In addition, work requirements will disproportionately reduce healthcare access for low-income people, women, racial and ethnic minorities, people living in rural areas, and people with disabilities—all of whom already face substantial obstacles to obtaining quality health care.

The ACLU of Utah believes that access to affordable health care is vital to participate in economic, social, and civic life. Restricting access to healthcare reduces the opportunity for these vulnerable individuals to contribute to society, participate in the public sphere, and exercise their Constitutional rights.

Introducing a work requirement will also create new barriers for families currently receiving healthcare coverage from Medicaid. The increased wages generated the work requirement could shift an individual or a family's earnings over 100% of poverty level, thereby making them ineligible to receive Medicaid in Utah. These families would lose their Medicaid eligibility due to the work requirement. At the same time, the ongoing sabotage of the marketplace insurance and exchanges make it very difficult for these families to afford insurance on the private market. This is a classic welfare cliff, where the unintended consequences of one policy change results in a worse social outcome for the individual or family it was designed to affect. These cliffs are commonplace today among Utah adults with dependents who can only qualify for Medicaid if they earn between 0% and 60% of poverty. The new welfare cliff created by the proposed work requirement would result in Utah families losing their only avenue for affordable healthcare coverage.

In summary, the ACLU of Utah opposes the June 2018 Amendment Request because it will result in the most vulnerable Utah individuals and families losing their access to affordable health care that enables them to participate in economic, social, and civic life.