

# House Bill 2 puts a price tag on survival for Kentuckians on Medicaid

BY CARA ELLIS



I was 31 years old when I heard the words no one expects to hear in the prime of their life: you have cancer. In 2019, after my cancer diagnosis, I faced a difficult treatment path of surgeries, radiation, immunotherapy, and more.

Now, I'm 38, and last week, I found out I have a recurrence.

What people misunderstand about cancer is that even if the prognosis is favorable, it's never entirely behind you. I have a lifetime of care with specialist visits, lab work, imaging, procedures, and the constant fear that a new result will change everything again.

Medicaid has been the only reason I have been able to fight cancer and survive. Unfortunately, right now, lawmakers in the KY General Assembly are working on passing House Bill 2, otherwise known as the Medicaid Reform Act. This bill will make access to healthcare harder and more expensive by weakening protections for people like me.

Make no mistake, Kentucky is a Medicaid state. According to the Kentucky Center for Economic Policy, approximately one in three Kentuckians relies on Medicaid health coverage, which translates to about 1.4 million people. That includes children, seniors, people with disabilities, working families, and rural residents like me who already face major barriers to care.

HB 2 does a lot. Supporters argue that it helps with accountability by adding more requirements to the program. The real-

ity is that it builds new hurdles into a program that already asks low-income Kentuckians to prove and re-prove they deserve care.

One of the most startling provisions within HB 2 bill is that eligibility redeterminations will happen every six months. On paper, that sounds like routine oversight. In real life, it can mean coverage interruptions because of missed mail, a changed address, a document the system didn't receive, or a form submitted but not processed in time.

HB 2 also ties Medicaid eligibility to community engagement requirements and restricts the state's ability to seek waivers or delays without legislative approval. People who are sick, juggling medical appointments, or managing serious conditions can still get caught in these nets because the burden isn't just meeting the requirement; rather,

it's documenting it correctly and continuously.

Then there's the part of the bill that hits me harder than any other provision included in the new legislation.

HB 2 sets up copays for a majority of Medicaid recipients. It establishes copays for non-emergency ER use and inpatient stays and allows a \$20 copay for specialized care. That \$20 number isn't theoretical, as Kentuckians are already hearing it discussed as a reasonable amount for specialty care.

Let me translate what that looks like in a real cancer patient's life.

Because I live in a rural community, my local hospital cannot provide the specialists I need. I often travel to Lexington or Louisville for care. In a single day, I can see up to five specialists for my healthcare needs.

If copays are \$20 per provider per visit, that can become \$100 in one day,

not including funding needed for gas, food, and parking. For someone living on a tight budget, that is an added barrier built out of dollars and miles.

When policymakers design barriers, people don't stop needing care. They just stop getting it on time. They skip appointments. They delay tests. They ration medications. They hope the symptoms go away. With cancer, any delay can mean the progression of the disease.

That's the cruelty of this kind of reform because it frames Medicaid recipients as costs to be controlled instead of neighbors who are trying to survive. It treats healthcare like a burden rather than a necessity.

Yes, we should make sure Medicaid dollars are spent responsibly, but reforms that increase paperwork requirements, accelerate redetermina-

tions, and add new costs don't just target waste and fraud. They hit the people who are already stretched thin, especially those like me in rural Kentucky, where specialist access requires travel and time that many families simply don't have.

As a Medicaid recipient, I am asking Kentucky lawmakers to look past the label and see the impact. HB 2 doesn't just reform the program. It changes the terms of survival for Kentuckians like me who rely on it.

We can safeguard the integrity of Medicaid without putting a price tag on survival. Kentucky must reject any so-called reform that turns lifesaving care into a luxury, especially when one in three of our neighbors depend on this program to live.

*Cara Ellis is a current political science student at Morehead State University and is known as an Appalachian organizer and advocate. She focuses her work on public policy, rural equity, and civic engagement across eastern Kentucky.*

# Debate over ballot summaries for Kentucky amendments

BY LINDA BLACKFORD  
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The deep red, conservative state of Kentucky keeps defeating constitutional amendments that would uphold conservative ideals like banning abortion for everyone forever and diverting public tax dollars to private schools.

They haven't been nail-biter contests, either. In 2022, voters handily rejected the idea of the General Assembly having the power to call itself into session without the Governor's authority. In addition, 52.4% of voters rejected the abortion ban amendment. Then 2024, voters stomped on the school choice amendment, defeating it in every single county of the state by 64.8%.

Senate President Robert Stivers has apparently concluded the problem must be that Kentuckians don't really understand what they're reading. He's proposing that we amend the constitution on how we amend the constitution — allowing summaries of the amendments on the ballot, rather than the actual language of how the constitution would be changed.

Senate Bill 262 will be up for its first vote on Wednesday, March 4 in the Senate State and Local Government Committee.

The bill would need three-fifths support in both the House and Senate as well as majority approval from Kentucky voters in November, who would be voting on the full text of the amendment.

## OF COURSE, IT'S COMPLICATED

Now on some ballot amendments, Stivers has a point. The 2022 measure to allow the General Assembly to call itself into session was several pages long. It was confusing, and I'd guess people are much more likely to vote no on something they don't understand. Especially about legislative meetings.

The Marsy's Law amendment which expanded victims' rights, was more than 500 words, nearly a full page. It also passed in 2018 but the Kentucky Supreme Court struck it down because the full text had not been included on the ballot.

Before Marsy's Law, summaries for constitutional amendments had often been used on the ballot, especially in larger reforms of the 1891 Constitution, said Kentucky constitutional lawyer Sheryl Snyder.

When the judicial articles were reformed in 1975, which resulted in the modern court system, "the amendments were 25 pages long," Snyder said. Those pages were distilled into a summary that the voters approved.

Snyder was deeply involved in the constitutional change allowing two terms for Kentucky governors in 1992.

"That completely rewrote the executive branch and changed the role of the Senate President's office, so it was 20 pages long," he said. "It would have been difficult to understand, and it would have backed up the voting lines."

Back in those days,

newspapers always printed the full text as part of legal notices. Nowadays with fewer newspapers, that's more difficult, but with the internet, there would be more sources of what the amendment actually says. In addition, advocates raise huge amounts of money for public education campaigns on both sides of these issues.

"For a one-paragraph amendment, it would be difficult to write a fair summary that didn't just copy it," Snyder said. "The issue for me is in terms of truly lengthy, substantive changes."

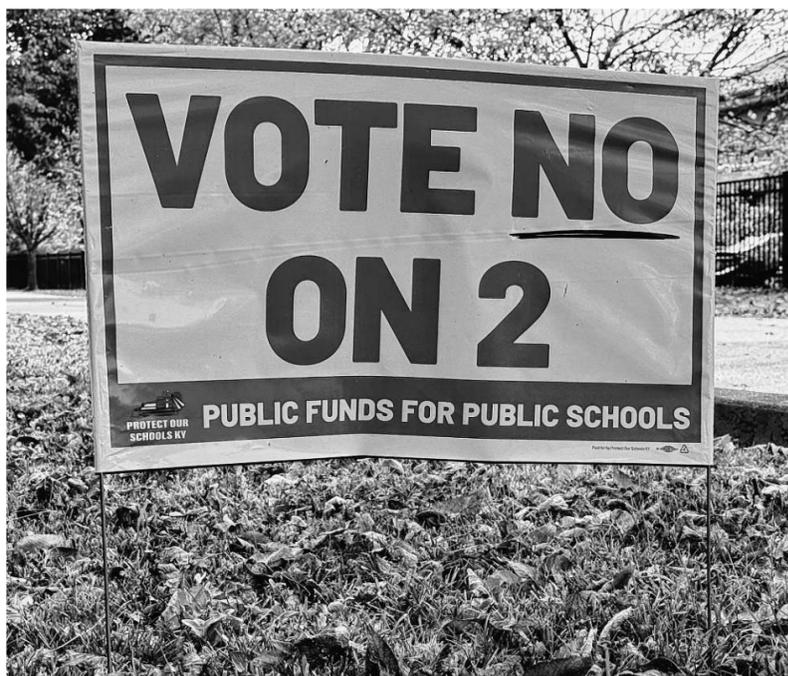
In addition, Snyder said, the summary text is subject to judicial review, so it couldn't be written in a misleading way. SB 262 says amendment proposals "shall be submitted to the voters of the State in the form of a ballot question or summary that clearly and accurately states the substance and effect of the proposed amendment."

Another constitutional historian and attorney, Denis Fleming, said the bill could be improved with more safeguards.

"I think Sen. Stivers is very much headed in the right direction, it's consistent with what we've done in the past," Fleming said. "To the extent they would entertain additional language, the safeguard of an advisory panel could make sure the summary accurately reflects the amendment."

## CLEAR AND CONCISE

The historical context is important. But two of the most decisive recent defeats had ballot language



Vote No on Amendment 2 signs in yards around Jefferson County. Wednesday, October 30, 2024

that was short and quite clear.

"Are you in favor of amending the Constitution of Kentucky by creating a new Section of the Constitution to be number Section 26A to state as follows: To protect human life, nothing in this Constitution shall be construed to secure or protect a right to abortion or require the funding of abortion."

And: "To give parents choices in educational opportunities for their children, are you in favor of enabling the General Assembly to provide financial support for the education costs of students in kindergarten through 12th grade who are outside the system of common (public) schools by amending the Constitution of Kentucky as stated below?"

IT IS PROPOSED THAT A NEW SECTION BE ADDED TO THE CONSTITUTION OF KENTUCKY TO READ AS FOLLOWS:

The General Assembly

may provide financial support for the education of students outside the system of common schools. The General Assembly may exercise this authority by law, Sections 59, 60, 171, 183, 184, 186, and 189 of this Constitution notwithstanding."

I would humbly propose that Kentuckians are smart. They're also stubborn and maybe somewhat resistant to change. Maybe, they think, the Constitution of Kentucky has been around since 1792, was rewritten three times, the last in 1891, and amended many more.

Maybe, just maybe, some ideas don't sit well with the majority of voters. Both Democrats and Republican voters can wholeheartedly agree they don't want the General Assembly passing more laws and spending more money any time they feel like it.

Maybe a lot of Kentuckians were alarmed by the idea of a constitutional

ban on abortion without any exceptions for rape, incest or the life of the mother. Current laws ban all those things right now without the amendment.

And certainly, Kentuckians love their public schools, which in many rural places are the heart of the community, the major employer, and the only schools they got. They are smart enough to reject the idea of hurting their local schools to help wealthy kids in Lexington and Louisville go to private schools.

But! That same year, voters also overwhelmingly passed an amendment to limit voting to U.S. citizens. So they're also capable of holding two thoughts at the same time.

Maybe the point is you can't really fool Kentuckians even some of the time. So keep trying to change the Constitution, make sure you're "clear and accurate" about it, and let the votes fall where they may.

FROM PAGE 1C

## BLACKFORD

completes UK's transformation into an LLC that pays the 1% exorbitant salaries while warning everyone else about hard times ahead.

Monday is also heavily involved in UK Athletics, as judged from his leadership role in Champions Blue, and is rumored to be in line to become the next president.

But I digress.

Why can't Barnhart just retire? God knows he's made millions of dollars in 24 years here doing by all accounts a pretty good job. Then again, who among us would turn down a \$1 million golden parachute?

There are bigger problems at play. If I were a legislator trying to get the state's budget under con-

trol, I'd look more closely at what's going on over in UK's administrative offices rather than encouraging DEI bounty hunters, who terrorize staff members over whether they once said the words "woman," or "inclusive."

Because despite budget cuts, despite the looming Medicaid cliff that will surely hurt the golden goose known as UK HealthCare, it's very strange how there's always enough money to pay people to get out of the way.

FROM PAGE 1C

## VONALLMEN

and procedural barriers to prove our innocence, in some ways we are still waiting for justice.

Senate Bill 131, which would provide compensation to exonerees for the years we lost due to wrongful incarceration, is about righting wrongs. It creates a framework that allows eligible exonerees, whose innocence has been

proven in court, to file a claim and receive compensation and support services, as well as a certificate of innocence, and have the record of our wrongful convictions expunged. While nothing can make up for the time or liberty robbed from us, Senate Bill 131 would allow us to move forward with dignity, and I'm look-

ing forward to the day it passes.

*Mike VonAllmen, a Louisville resident, was wrongfully convicted of rape in 1983. He was paroled in 1994 and worked to get back on his feet and support his family as a husband and father. Sixteen years later, after a reinvestigation by the Kentucky Innocence Project pointed to the likely true perpetrator, Mike was exonerated in 2010.*