



Healthcare for Artists: A Legislative Priority

Jim Brown, The Actors' Fund

David Rice, Strategic Policy Concepts & LINC

Adam Forest Huttler, Fractured Atlas

Narric Rome, Americans for the Arts

Saturday, June 2, 2007



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The Actors' Fund: NY State COBRA

- The Actors' Fund formed the Entertainment Industry Health Insurance Coalition
 - comprised of 26 unions, social service organizations, theatre owners and producing companies
 - began a lobbying effort to persuade New York State to pay for half the cost of COBRA for industry union members who had lost their eligibility for benefits

Identify the Problem

- **Identify a specific problem that new legislation (or an amendment to current law) can address.**
 - We knew that more than 70% of those in the entertainment industry who were offered COBRA declined to elect it, usually because of its cost (approx. \$335 a month).
 - As a result, almost all of them went without insurance until they became eligible again for a union plan. Securing subsidization at the state level would help remedy this.



Build a Coalition

- **Put together a coalition.**
 - As we were taught in high school physics, energy organizes a system.
 - Identify other organizations that would benefit from this legislation and get them interested.

Draft a Bill

- **Work out the essential features of the legislation, and draft a version of the bill.**
 - Ideally this comes from the coalition members. In our case, it dealt with levels of assistance, definitions of "entertainment industry members," and finding a reasonable income-eligibility.
 - Be clear about the essential features. For us, it was this: the state would pay half the cost of the COBRA premium for up to 12 months for any income-eligible member of the entertainment industry and their families.



Define Your Reasons

- **Clearly define the reasons why this legislation needs to pass.**
 - Your arguments need to be honed to the clarity and brevity of talking points - you will have to repeat them often.
 - Our main argument for the COBRA Subsidy: the entertainment industry is an economic engine for the state, and the state should contribute to the health care of the people who make that entertainment.



Hire a Lobbyist

- The lobbyist will help you refine the legislation and the arguments for it, help you get in-person meetings with legislators and/or their staff, and perhaps most importantly locate a source, preferably one that already exists, for funding the program.



Find Sponsors for the Bill

- **Find sponsors and co-sponsors for the bill.**
 - Here the lobbyist can be very valuable by pointing you in the direction of legislators who have a history of sponsoring legislation related to yours.
 - In our case, we found a Democrat in the Assembly (Richard Brodsky) and a Republican in the Senate (first Roy Goodman, then Kemp Hannon) to introduce the bill.



Keep the Pressure On

- Bills need to move through committees in both houses to make it to the floor for a vote, and your bill is in competition with hundreds of others.
- A constant (but not overwhelming) stream of e-mails, letters, and phone calls is critical for keeping the bill visible and viable.

The Effort May Take Years

- **Understand that your fight has more than one round.**
 - The first year your bill may not make it out of committee.
 - The second year it may make it to a vote in only one of the houses.
 - The third year it may be passed in both houses, then pocket vetoed (not acted on) by the Governor as happened with the COBRA Subsidy bill. [Note: each state has its own procedures for a bill to become law. This relates to the procedure in New York State.]
 - If the issue it was meant to address is still relevant and its sponsors are still behind it, find out what the problem is (your lobbyist is a good guide) with the bill and, if it doesn't compromise the intent, fix it.



New York State Entertainment Industry COBRA Subsidy

Who was helped?

**In 2005, 350 industry members and families
receiving \$1,322,153 in subsidies.**

**In 2006, 317 industry members and families
receiving \$1,083,777 in subsidies.**



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The New Massachusetts Health Care Law and How it Affects the Arts Community



The Health Care Challenge

- The U.S. spends approximately \$1.7 *trillion* per year – over 15 percent of the nation's economy – on health care
- 2.5 times more per capita than the average of other wealthy nations, yet our health outcomes are much worse - 28 countries have healthy life expectancies greater than that experienced in the United States
- Since 2000, average health insurance premiums increased by 73%, while average wages have grown by only 15%
- The share of workers who receive health insurance through their employer has fallen from 70% in the 1970s to 50% today
- 46 million Americans have no insurance at all and the number is increasing. Millions more are under-insured.



The Health Care Challenge for Artists

- Do not access health insurance through their employer
- Not employed full-time as artists
- Do not derive substantial earnings from their art work
- Have multiple jobs
- Work either as “independent contractors” or “part-time” staff, usually making them ineligible for most employer-sponsored health insurance plans
- Have very fluid employment patterns, usually a mixture of teaching and working in their craft
- Earn less on average than other people with comparable education and skill sets
- Work for nonprofit organizations where compensation is usually much lower than in the private or public sector



Leveraging Investments in Creativity

- 10-year initiative in its 5th year
- Focusing on key issues facing individual artists
 - Information Technology
 - Artist Space
 - Health Insurance
- 10 target “creative communities”
 - Boston, Chicago, Cleveland, Houston, Los Angeles, New York, Philadelphia, San Francisco, Seattle, Washington, D.C.
- Funded by the Ford Foundation, among others



LINC – National Health Insurance Initiative

- Identify new, innovative methods to facilitate artists' access to affordable, portable, quality health care
- Focusing on how to help local groups bring the collective voice of artists to the debate over health care reform
- Provide funding, technical assistance, a national network, expertise, and capture and disseminate key lessons
- Currently working with 6 target communities
 - Cleveland, Boston, New York, Los Angeles, Philadelphia, Seattle



Washington Artists Health Insurance Project

- LINC sponsored pilot project with Artists Trust
- Conducted ground-breaking research on the health insurance challenges facing artists
- Launched awareness campaign about existing programs for which artists are eligible
- Identified gaps in existing programs and proposed reforms to address artists' concerns
- Hosted a forum in 2006 bringing together state and national experts to discuss the findings of their research
- Conducting local advocacy efforts on health care reform and proposing new commercial models that will meet artists' unique needs



Case Study: Massachusetts Health Care Reform

- 372,000 uninsured
- 93% with insurance obtain it through their employer
- Innovative reforms to achieve universal coverage
- “Shared responsibility” between individuals, employers, and the government
 - Individual mandate
 - Employer incentives
 - Government’s larger role
- Shoring-up of the existing system of employer-sponsored health insurance



Case Study: Massachusetts Health Care Reform

- Established a coalition of arts organizations
- Partnered with leading health care advocacy groups
- Joined a broader coalition of consumer organizations advocating for further changes
- Identified the gaps in the new law with respect to artists
- Filed legislation to address artists' specific concerns
- Conducted public forums for artists and workshops for arts-related employers around the state
- Maintained a website and listeserves to keep artists informed



The Impetus for Major Health Care Reform

- Massachusetts' innovative reforms - new possibilities
- 40 other states now have major reform initiatives before the legislature
- The number of uninsured is rising
- Health care costs are rising
- Baby-boomers are aging
- Entitlement programs like Medicaid are growing beyond the means of state and federal government
- The 2008 Presidential Election - health care the number 2 issue of importance



Resources

- **Leveraging Investments in Creativity**
www.lincnet.net
- **Arts Health Care Coalition**
www.artshealthcarecoalition.org
- **Strategic Policy Concepts**
www.policyconcepts.com
David.Rice@policyconcepts.com



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Fractured Atlas

Agenda

- Brief organizational background
- Fractured Atlas's healthcare program
- Emerging national/regional strategy
- Opportunities for participation



Who is Fractured Atlas?

- National, multi-disciplinary, non-profit arts service organization
- Based in NYC, but serves artists and arts organizations in 50 states and 19 countries
- Over 3,500 dues-paying members
- Extended community of 32,000 artists can access programs and services



What does Fractured Atlas do?

- Affordable healthcare and health insurance
- Fiscal sponsor for 650 emerging arts organizations
- Event and film liability insurance
- Marketing and promotion
- Professional development and education
- Local and national advocacy



Healthcare Program: Beginnings

- Program created in 2001 (NYC only)
- Expanded nationwide in 2002
- Initially focused only on health insurance
- Managed to cobble together innovative plans at affordable prices
- Enrolled over 1,000 artists in first 2 years



Healthcare Program: Today

- Affordable health insurance
- Direct access to providers
- Local and federal advocacy
- National outreach



Affordable Health Insurance

- Association-based group plans
- Focus on affordability
- New York State
 - 8 plans ranging from free to \$400/month
 - Concentrated population of artists = leverage
- Everywhere else
 - Limited but growing options
 - 1 national plan vs. many single-state plan



Arts Wellness Network

- Pilot program in NYC
- Network of artist-friendly providers
- Reduced rates and/or specialized services
- Focus on routine, preventive, alternative
- No cost to join
- No insurance required
- Or compliments limited insurance plan



Advocacy

- Voice of arts community on healthcare policy
- Lobbying on local, state, and federal level
- Artist education and engagement



Advocacy Objectives

- De-couple insurance from employment
- Level playing field for trade associations and corporations/unions
- Modest moves towards single payer:
 - Stronger federal role in consumer protections
 - Federal reinsurance for catastrophic risk
 - Uninsured piggyback on Medicare/Medicaid rates



Open Arts Network

- National network of arts organizations
- 26 groups with combined 32,000 artists
- Free access to healthcare and other programs
- Membership orgs with 50+ artists join for free
- Common umbrella makes us all stronger



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