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HEALTH CARE REFORM UPDATE July 29th, 2013

Leading the News

Senate HELP Updates Track-and-Trace, Compounding Proposals

On July 24th, the Senate Health, Education, Labor, and Pensions (HELP) Committee released updates to its drug compounding and track and trace legislation. Committee Chairman Tom Harkin (D-IA) and Ranking Member Lamar Alexander (R-TN) say they hope the Senate will pass the measure by unanimous consent in the near future. On July 25th, the Congressional Budget Office (CBO) indicated the bill would have virtually no impact on the federal budget.

House Energy and Commerce Subcommittee Advances SGR Bill

On July 24th, the House Energy and Commerce Subcommittee on Health passed by voice vote a bill to repeal the sustainable growth rate (SGR) Medicare physician payment method. The bill now moves to the full committee, which will consider a repeal of the SGR on July 31st. Rep. Michael Burgess (R-TX) suggested the committee will support the bill, but he said the legislation could become part of larger budget negotiations near the end of 2013.

Implementation of the Affordable Care Act

On July 22nd, Republicans on the House Ways and Means Committee sent a letter to Treasury Secretary Lew requesting information regarding a delay of the ACA employer mandate. The letter criticizes testimony provided by Treasury official Mark Iwry in previous committee hearings, stating he failed to provide sufficient information.

On July 22nd, House and Senate Republicans sent a letter to HHS Secretary Sebelius that urges a release of information regarding health insurance premiums in 34 states taking part in the ACA federal and federal-state partnership exchanges.

On July 23rd, while speaking with members of the National Council of La Raza, First Lady Michelle Obama [urged supporters](#) to go out and inform their families and friends about the facts regarding the implementation of the ACA.

On July 23rd, the Government Accountability Office (GAO) [issued a report](#) on pre-ACA base insurance premium rates. The report was requested by Senator Orrin Hatch (R-UT).

On July 24th, [Rep. Diane Black \(R-TN\)](#) [introduced H.R. 2775](#), a bill to prohibit ACA subsidies from being provided to Americans until a system is in place to verify the financial standing of individuals applying for subsidies.

On July 24th, the American Medical Association (AMA) and the American Hospital Association (AHA) [called on HHS to delay](#) Stage Two requirements relating to the development of meaningful use of electronic health records (EHRs). The AMA and AHA suggest Stage Two should be delayed by one year to provide flexibility to small and rural providers.

On July 25th, during a Senate Small Business Committee hearing on the implementation of the ACA, Senator Mary Landrieu (D-LA) [said](#) she understands some business owners are harmed by coverage mandates of the law. Senator Landrieu said she is open to exploring ACA changes that will avoid harming business owners.

On July 25th, Speaker of the House John Boehner (R-OH) said no decision has been made on if Republicans will use a continuing resolution to block additional funding for ACA implementation and enforcement.

On July 26th, CMS [announced](#) a moratorium on enrollment of home health agencies in Miami and Chicago and a temporary halt on ambulance suppliers in Houston.

On July 26th, [Maryland released premium rates](#) for individual health insurance to be sold on the state's ACA exchange. Nine carriers will offer plans through the exchange.

Other HHS and Federal Regulatory Initiatives

On July 22nd, the Food and Drug Administration (FDA) [provided](#) Teva Pharmaceuticals exclusive rights until 2016 to sell its Plan B One-Step emergency contraception over the counter and without age restrictions.

On July 22nd, CMS [announced](#) the suspension of the National Average Retail Prices (NARP) survey, which provided pricing information on over 4,000 common drugs.

On July 23rd, the U.S. District Court of Appeals for D.C. [ruled](#) that the HHS Secretary is able to delegate his or her authority to outside contractors.

On July 23rd, HHS issued a [final rule](#) that orders discounts for orphan drugs, which are often used to treat rare conditions, to apply when used to treat non-orphan conditions.

On July 26th, the FDA released two proposed rules to regulate the safety of imported food. The first rule is available [here](#), and the second rule can be found [here](#).

Other Congressional and State Initiatives

On July 24th, the House Appropriations Labor-HHS Subcommittee [delayed](#) a markup of the FY 2014 appropriations bill that was scheduled for July 25th. A spokesperson for the full committee indicated scheduling conflicts resulted in the delay.

On July 25th, the CBO wrote a [letter](#) noting the Senate's immigration bill, S. 744, will reduce deficits largely because of cash flows related to Social Security and Medicare Part A.

Other Health Care News

On July 24th the Institute of Medicine (IOM) published a [report](#) on the variation in health care spending among Medicare beneficiaries.

Hearings and Mark-Ups Scheduled

Senate

On July 30th, the Senate Budget Committee will conduct a [hearing](#) to examine containing health care costs.

On July 31st, the Senate Environment and Public Works Committee will conduct a [hearing](#) to examine toxic chemical threats and public health protections.

House of Representatives

On July 30th, the House Energy and Commerce Committee will conduct a [markup](#) of legislation to reform the sustainable growth rate (SGR) Medicare physician payment method. The markup is scheduled to continue on July 31st.

On July 31st, the House Ways and Means Health Subcommittee will hold a [hearing](#) to analyze the Obama administration's authority to offer tax credits through the ACA exchanges.

On July 31st, the House Science Research and Technology Subcommittee will hold a [hearing](#) on the frontiers of human brain research.

On August 1st, the House Ways and Means Committee will hold a [hearing](#) to analyze the implementation of the ACA.

On August 1st, the House Energy and Commerce Committee will hold [hearing](#) to understand the latest issues relating to the implementation of the ACA.