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HEALTH CARE REFORM UPDATE

September 10, 2012

Implementation of the Affordable Care Act (ACA)

On September 3rd the Democratic platform was released on the opening night of the Democratic National Convention in Charlotte, NC. Called “Moving America Forward,” the document reiterates many of President Barack Obama’s policies and contrasts them with those outlined by Republican Presidential Nominee Mitt Romney. The document also discusses the significance of the ACA. The document can be seen [here](#).

On September 7th the National Governors Association (NGA), announced new committee appointments and picked a Democrat and Republican governor from states that are well on their way to running their own exchanges to lead the Health and Homeland Security Committee. Maryland Gov. Martin O’Malley (D) will chair the committee, and Nevada Gov. Brian Sandoval (R), who leads one of the few Republican states to have embraced an exchange, will be vice chairman. The full committee list can be viewed [here](#).

Other HHS and Federal Regulatory Initiatives

On September 5th the Centers for Disease and Prevention Control (CDC) launched the “Team Up. Pressure Down” campaign to educate pharmacists on managing hypertension and patients’ medication adherence. The announcement came a day after the CDC released a report that Americans’ blood pressure is out of control. The campaign is part of the CDC’s Million Hearts initiative to prevent a million heart attacks and strokes by 2017 through clinical and community interventions. The report can be found [here](#). More information about the initiative can be found [here](#).

On September 7th the Department of Health and Human Services (HHS) announced that for the first time, the public can vote to choose their favorite innovation from among the finalists of the HHSinnovates Program. Launched in the spring of 2010 as part of HHS’s Open Government efforts,

HHSinnovates recognizes innovative projects led by HHS employees designed to help solve the country's toughest healthcare challenges. The press release and the finalists can be viewed [here](#).

Other Congressional and State Initiatives

On September 4th Maine Attorney General William J. Schneider (R) filed a Petition for Review with the 1st Circuit Court of Appeals in response to CMS's announcement that it would need more time to review the state's request to approve Medicaid cuts. Maine simultaneously filed a Motion for Injunctive Relief asking the First Circuit to order CMS to approve its proposed State Plan Amendment (SPA) to pare down its Medicaid rolls. A statement from the Attorney General's Office can be seen [here](#). The Petition for Review can be found [here](#). The Motion for Injunctive Relief can be found [here](#).

On September 5th Kansas Insurance Commissioner Sandy Praeger announced that she will submit recommendations on selecting essential health benefits (EHB) for a planned health insurance exchange to Kansas Governor Sam Brownback (R). Brownback must decide by Sept. 30 on what benefits will be included in the exchange. News coverage of the announcement can be found [here](#).

On September 6th Gov. Matt Mead (R) announced that Wyoming will not meet a pending deadline under the ACA to specify whether the state intends to establish a health insurance exchange. Mead told reporters at a press conference that Wyoming can't decide the issue because he has yet to hear any response to a series of questions about the law he submitted to U.S. Health and Human Services Secretary Kathleen Sebelius in mid-July. News coverage of the announcement can be found [here](#). A press release from the Governor's office can be found [here](#).

Other Health Care News

On September 5th former President Bill Clinton spoke at the Democratic National Convention in Charlotte, NC. In his speech, former President Clinton discussed Medicaid's role in providing long-term care to the elderly and how much Medicaid spends on the elderly in nursing homes. A full transcript of Clinton's speech can be seen [here](#). News coverage of rising costs on long-term care in Medicaid can be found [here](#).

On September 6th the Institute of Medicine (IOM) released a report stating that the U.S. healthcare system wastes \$750 billion a year through unnecessary care, outdated paperwork, fraud and other wasteful practices. The report recommends a major overhaul to the way doctors and specialists communicate to prevent misdiagnoses and to ensure that breakthroughs in medical technology are adopted more rapidly. The report can be found [here](#). News coverage of the report can be found [here](#).

On September 6th North Carolina Attorney General Roy Cooper (D) announced the recovery of \$31.8 million as part of the largest health care fraud settlement in the history of the United States. The state recovered nearly \$32 million from drug maker GlaxoSmithKline and it was the latest recovery made by Attorney General Roy Cooper's Medicaid Investigations Division. News coverage of the story can be found [here](#).

Hearings and Mark-Ups Scheduled

Senate

On September 12th at 2:30pm, the Senate Special Aging Committee will hold a roundtable discussion titled “Let the Sunshine in: Implementing the Physician Payments Sunshine Act.”

House of Representatives

On September 11th at 10am, the House Small Business Subcommittee on Healthcare and Technology will hold a hearing titled “Medicare’s Durable Medical Equipment Competitive Bidding Program: How are Small Suppliers Faring?” More information can be found [here](#).

On September 11th at 10am, the House Ways and Means Subcommittee on Oversight will hold a hearing on the implementation and administration by the IRS of the tax provisions in the Patient Protection and Affordable Care Act [PL 111-148] and Health Care and Education Reconciliation Act of 2010 [PL 111-152]. More information can be found [here](#).

On September 11th at 2pm, the House Energy and Commerce Subcommittee on Health will be marking up legislation that would exclude agent and broker fees from the Medical Loss Ratio calculations in the ACA. The Subcommittee will also be marking up five other health care bills. More information on the mark up can be found [here](#). A background memorandum from the Majority Staff on all six of the bills can be found [here](#).

On September 12th at 10am, the House Ways and Means Subcommittee on Health will hold a hearing on the implementation of health insurance exchanges and related provisions of the Affordable Care Act [PL 111-148] and Health Care and Education Reconciliation Act of 2010 [PL 111-152]. More information can be found [here](#).

On September 14th at 2:30pm, the House Veterans’ Affairs Subcommittee on Health will hold a hearing titled “Department of Veterans Affairs Fee Basis Care: Flawed Policies not a Fix for a Flawed System.” More information can be found [here](#).