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HEALTH CARE REFORM UPDATE September 9th, 2013

Leading the News

IRS Releases Reporting Requirements for Employer Mandate

On September 5th, the IRS [released](#) proposed rules regarding reporting requirements for the ACA's employer mandate. A [press release](#) from the Treasury Department stated that the proposed rules reflected its goal to implement the ACA's reporting requirements in a streamlined and focused manner. Although reporting requirements will be voluntary in 2014, the press released encouraged real-world testing of reporting systems in order to facilitate a smooth transition to full implementation in 2015. A public hearing on the proposed rule will take place on November 18th.

Implementation of the Affordable Care Act

On September 3rd, the US Conference of Catholic Bishops [sent](#) a letter to the Office of Personnel Management (OPM) asking it to ensure that federal subsidies granted to Congressional lawmakers and their staff to purchase health insurance on the Affordable Care Act (ACA) exchanges do not go to plans that cover abortion.

On September 4th, former President Bill Clinton [defended](#) the ACA in a speech at his Presidential Library. He called on Republicans in Congress to stop fighting to eliminate the bill and instead work to implement and improve upon the law.

On September 4th, the Morning Consult [released](#) the results of a tracking poll examining public opinion of the ACA. Notably, they found that young Americans between the ages of 18 and 29 are the most supportive of the ACA and are among those most likely to purchase insurance from the insurance exchanges.

On September 4th, the National Association of County and City Health Officials, along with 65 city and county health departments, [sent](#) a letter to President Obama in support of regulations in the ACA requiring menu labeling at all food retail establishments selling restaurant-type food.

On September 5th, the Kaiser Family Foundation [released](#) an issue brief that examined insurance premiums in 17 states and DC that have released comprehensive data on rates **and** compared state-by-state estimates, the cost for coverage for different age groups, and the potential impact of tax credits.

On September 5th, the Government Accountability Office (GAO) [released](#) a report which found that, despite the huge numbers of American Indians and Alaskan Natives who could benefit from the Medicaid expansion and the insurance subsidies on the exchanges, Indian Health Services (IHS) hasn't developed a plan to increase enrollment and billing capacity.

On September 6th, the Congressional Budget Office (CBO) [released](#) its analysis of H.R. 2668, which would delay the individual mandate and the employer mandate for one year. CBO found that the delay will reduce the federal deficit by \$35 billion over ten years, increase the number of uninsured by 11 million, and increase health insurance premiums.

On September 4th, CMS [released](#) registration information regarding the stakeholder engagement calls it will be holding on the new health insurance marketplace. Calls begin this week for each state with a Federally-facilitated or State Partnership Marketplace.

Other HHS and Federal Regulatory Initiatives

On August 29th, the Department of Health and Human Services (HHS) Office of the Inspector General (OIG) [released](#) a report which indicated that CMS has not improved its hospice recertification rates since the OIG released its initial report criticizing hospice recertification rates in 2007.

On September 3rd, the HHS OIG [released](#) a report which found that CMS failed to evaluate the effectiveness of its actions to address improper payment vulnerabilities and did not evaluate the performance of its Recovery Audit Contractors.

On September 4th, Attorney General Eric Holder [sent](#) a letter to Congress stating that as a result of the Supreme Court's decision regarding the Defense of Marriage Act (DOMA), the Executive Branch will no longer be enforcing Title 38 of U.S. Code, which prohibited the government from providing benefits to same-sex spouses.

Other Congressional and State Initiatives

On September 5th, Senator Tom Coburn (R-OK) and former-Senator Joe Lieberman [sent](#) a letter to Chairman of the House Ways and Means Committee Dave Camp promoting their Medicare reform proposal.

On September 5th, the Chairmen and Vice Chairmen of the House Energy and Commerce Committee and the Subcommittee on Oversight and Investigations [sent](#) a letter to CMS requesting an update on their efforts to reform the Medicare Secondary Payer program.

On September 6th, HHS Secretary Kathleen Sebelius [announced](#) that \$69.7 million in grant awards, funded by the ACA, had been given to 13 states to expand their Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program activities.

On September 6th, House Majority Leader Eric Cantor (R-VA) [sent](#) a memo to House Republicans outlining their legislative agenda for fall 2013. In the memo, he stated that they will hold strategic votes to “dismantle, defund, and delay” the ACA and that “cracks” can be seen in the ACA’s supporting coalition.

Other Health Care News

On September 3rd, the Centers for Disease Control (CDC) [released](#) a report which found that there are at least 200,000 preventable deaths due to heart disease and stroke each year.

On September 4th, the Dartmouth Institute for Health Policy and Clinical Practice [released](#) a report which found that the care that many cancer patients nearing the end of their life receive does not reflect their actual preferences.

On September 6th, the CDC [released](#) a report which found that the number of middle and high school students using e-cigarettes has more than doubled from 2011 to 2012.

Hearings and Mark-Ups Scheduled

On September 10th the House Energy and Commerce Health Subcommittee will hold a [hearing](#) to analyze the implementation of the Affordable Care Act.

On September 11th, the House Homeland Security Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies will hold a [hearing](#) titled “The Threat to Americans’ Personal Information: A Look into the Security and Reliability of the Health Exchange Data Hub.”