



PPACA Implementation Rolls On Over Republican Objections; CR Signed into Law

*CR's the Law through
March 27, 2013*

The President signed into law H.J. Res. 117, the continuing resolution that provides for continued federal agency funding at the \$1.047 trillion BCA level through next March 27th. The President has also been presented for his signature the bill H.R. 6433, legislation that makes technical corrections to the FDA generic drug user fee provisions to give full effect and force to that law.

House and Senate leaders have decided to leave until after the election all other major budget and tax decisions, including what to do about the upcoming sequestration, the debt ceiling, tax-cut extensions and further FY 2013 appropriations. However, **House Appropriations Chairman Hal Rogers** has indicated a desire to finish all FY 2013 appropriations matters during the lame-duck session.

If the President wins another term, a wrap-up of fiscal year spending decisions into an omnibus bill becomes a strong possibility. On the other hand, if **Mitt Romney** is the victor this fall, Republicans may have incentive to put off major budget decisions until the new president is inaugurated.

While congressional leaders are marking time until November 13 when they return after the elections, **Senators Durbin, Conrad, Warner, Bennet, Chambliss, Coburn,**

Crapo and **Johanns** continue to work on a bipartisan post-election solution to the coming budget crisis by starting out with the Simpson/Bowles budget framework that would reduce budget deficits by over \$4 trillion over ten years. A possible alternative would be for Congress to agree to a \$1 trillion down-payment this year and set up a must-do process to finish up on the remainder of a ten-year budget plan next year. In addition, another bipartisan group of **Senators--Levin, Shaheen, Whitehouse, McCain, Graham** and **Ayotte**--alerted Senate leaders to their agreement on the need for a long-term deficit reduction plan in order to avoid the upcoming sequestration which they say would led to another recession, raise unemployment above 9% and devastate defense readiness.

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More Money for Health Insurance Exchanges

Senator Charles Grassley and House Energy and Commerce Committee Chairman Fred Upton told HHS Secretary Kathleen Sebelius that HHS has conducted little oversight over the \$1.9 billion in establishment grants and \$249 million in innovator grants the agency has made to states for PPACA health insurance exchanges and has given little guidance on how states should use those funds. Nonetheless, HHS subsequently announced that five states and

DC have been awarded \$223.7 million to help them establish their exchanges. In addition, the HHS Secretary touted the PPACA and its provisions requiring health insurers and employers to provide Summaries of Benefits and Coverage (SBC) and a Uniform Glossary defining insurance and medical terms in standard, plain English. Creating a baseline for the 2014 implementation of PPACA health coverage, the CDC's National Center for Health Statistics released a report stating

that 46.3% of Americans, 15% of the population, were uninsured as of mid-year (a decline from 48.6 million in 2010). Republican criticism of PPACA-related actions continued in other areas as well with **House Oversight and Government Reform Committee Chairman Darrell Issa** threatening legal action if HHS does not comply with his committee's request for documents on the Medicare Advantage quality bonus demonstration project.

CMS Initiative to Improve Nursing Care

CMS announced that seven organizations have been selected as partners in the "Initiative to Reduce Avoidable Hospitalizations among Nursing Facility Residents". The organizations will partner with nursing facilities to provide enhanced on-

site services and support to dual-eligible nursing home residents and to test evidence-based interventions that reduce avoidable hospitalizations.

PCORI Request for Information

The Patient Centered Outcomes Research Institute issued a request for public input to guide their funding decisions in connection with the prevention, diagnosis and treatment options faced by patients and means to improve health care delivery, address disparities in health care and improve the communication of research findings.

PPACA Mental Health Grants

HHS announced a new PPACA program, the Mental and Behavioral Health Education and Training grant program, which will provide \$9.8 million to 24 graduate social work and psychology schools and programs in order to increase the number of social workers and psychologists who will work with rural residents, military personnel, veterans and their families.

PCAST Recommends New Medicines

The President's Council of Advisors on Science and Technology (PCAST) issued a report stating that the U.S. should set a goal of doubling the output of innovative new medicines that meet critical public health needs over the next 10 to 15 years. The report calls for optimizing the processes used by the FDA to evaluate the safety and efficacy of candidate drugs, enhancing the long-term monitoring of approved medicines and improving public understanding about the benefits and risks of

medicines. In related news, the FDA announced the establishment of the Antibacterial Drug Development Task Force, an internal task force to: evaluate existing FDA guidelines and determine whether updates are necessary; identify unmet medical needs and barriers to drug development; find novel approaches to antibiotic development, such as broader use of clinical pharmacology data, innovative clinical trial designs and new efficiency measures; and use existing collaborators to advance development.

Community Health Center Grants

HHS announced that 810 community health centers have been awarded \$44.4 million in grants designed to provide more coordinated

care to low-income patients through patient-centered medical homes.

Recently Introduced Health Legislation

H.R. 6482 (FEDERAL BUDGET), to amend the Congressional Budget Act of 1974 respecting the scoring of preventive health savings; BURGESS; to the Committee on the Budget, Sept. 21.

H.R. 6490 (MEDICARE), to amend Title XVIII of the Social Security Act to establish a market pricing program for durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) under Part B of Medicare; PRICE of Georgia; jointly, to the committees on Energy and Commerce and Ways and Means, Sept. 21.

H.R. 6514 (PRESCRIPTION MEDICATION INFORMATION), to require the secretary of health and human services to promulgate regulations regarding the authorship, content, format, and dissemination of patient medication information to ensure patients receive consistent and high-quality information about their prescription medications and are aware of the potential risks and benefits of prescription medications; GIBSON; to the Committee on Energy and Commerce, Sept. 21.

H.R. 6521 (MEDICAID), to provide payment for patient navigator services under Title

XIX of the Social Security Act; ISRAEL; to the Committee on Energy and Commerce, Sept. 21.

H.R. 6548 (MEDICARE), to amend Title XVIII of the Social Security Act to provide coverage under Medicare for diabetes prevention services; SHULER; jointly, to the committees on Energy and Commerce and Ways and Means, Sept. 21.