



## **Weekend Session Looms As Senate Prepares for Crucial Votes on Health Reform Bill**

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The Senate is planning to be in session this weekend as part of a plan through which Senate leaders are hoping to adopt a wide-ranging manager's amendment and force a vote on final passage of the "Patient Protection and Affordable Care Act" before Christmas Day. The manager's amendment – which has been the focus of intense negotiations over the past two weeks – will address many of the bill's most important provisions.

As of this writing, we anticipate that Senate Majority Leader Harry Reid (D-NV) will file a series of three cloture motions early Saturday morning. The purpose of the cloture motions is to limit further debate on the pending bill. If supported by 60 senators, the first cloture motion would limit debate on the manager's amendment to 30 hours, the second cloture motion would limit debate on the substitute amendment (which Leader Reid announced at the outset of the debate) to 30 hours, and the third cloture motion would limit debate on the underlying bill to 30 hours.

While this timeline is preliminary, Senate leaders currently are aiming to schedule the three cloture votes at approximately 1:00 a.m. on Monday, 7:30 a.m. on Tuesday, and 4:00 p.m. on Wednesday. If supporters of the bill prevail on all three votes, this would set the stage for a vote on final passage of the bill on either Wednesday or Thursday, depending on whether opponents use the full amount of time allowed for debate.

There continues to be considerable uncertainty about the outcome of this debate. However, Senate leaders are strongly committed to passing the bill this year and, if necessary, they are prepared to reconvene during the last week of December.

## **Amendment Process Slows As Senators Focus on Off-the-Floor Negotiations**

The Senate cast only five roll call votes this week on amendments or motions pertaining to the "Patient Protection and Affordable Care Act." As negotiations over a manager's amendment have intensified over the past week, the amendment process on the Senate floor has slowed to a crawl.



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Senators have filed approximately 470 amendments since November 20, but only a small fraction of these amendments have been debated and voted on by the Senate. Moreover, among the handful of amendments that have been approved by the Senate, only two include substantive changes to the bill: (1) an amendment by Sen. Mark Pryor (D-AR) would require the HHS Secretary to develop a survey to evaluate enrollee satisfaction with health plans offered through the exchanges; and (2) an amendment by Sen. Barbara Mikulski (D-MD) would require first dollar coverage, without any cost sharing, for certain preventive services. Recognizing that it is difficult to win approval of substantive amendments on the Senate floor, many senators have been focused on trying to include their amendments in the manager's amendment that Senate leaders are working to finalize.

Senate votes this week included the following:

- By a vote of 51 to 48, the Senate failed to approve an amendment by Sens. Byron Dorgan (D-ND), Olympia Snowe (R-ME), and others that would have authorized the importation of FDA-approved prescription drugs by individuals for their own personal use and by licensed pharmacists and wholesalers. Although 51 senators voted "yes," this amendment failed because it was subject to a 60-vote threshold for approval.
- By a vote of 97 to 1, the Senate approved an amendment by Sen. Max Baucus (D-MT) that expresses the sense of the Senate that "the Senate should reject any procedural maneuver that would raise taxes on middle class families."
- By a vote of 56 to 41, the Senate defeated a motion by Sen. Kay Bailey Hutchison (R-TX) that would have sent the bill back to the Senate Finance Committee with instructions to delay the bill's taxes so they would coincide with the delivery of benefits.

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