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Congress Recesses Without Finalizing Extenders Package

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The Memorial Day recess is now underway following a week in which congressional leaders fell short in their efforts to approve in both the House and the Senate an extenders bill, containing several key health provisions, for the President to sign into law before June 1. Enactment of this legislation, and applying its provisions retroactively, will be a high priority when Congress returns from the recess during the week of June 7-11.

Today, the House approved a significantly scaled-back extenders bill, H.R. 4213, which contains a 19-month Medicare physician payment "fix." This bill would establish a 2.2 percent payment update through the remainder of 2010 and a 1 percent update in 2011. Medicare physician payment rates would return to current law levels in 2012. Unlike earlier versions of this legislation, the bill passed today by the House does not contain an extension of enhanced federal funding for state Medicaid programs, nor does it contain an extension of the eligibility period for premium assistance for COBRA/state continuation coverage.

The Senate did not take action on the House-passed bill before recessing. However, Senate Majority Leader Harry Reid (D-NV) announced this morning that the Senate will take up the bill on June 7 and that a number of amendments will be considered. Provisions that expire on May 31, such as the Medicare physician payment fix, will be addressed retroactively.

According to the Congressional Budget Office (CBO), the House-passed bill would increase the federal budget deficit by an estimated \$54 billion over ten years. The Medicare physician payment fix, which is scored as costing \$23 billion, accounts for a significant part of the bill's overall cost. Other provisions of this bill address small business lending and tax relief, individual tax cuts, infrastructure investments, summer jobs, trade provisions, unemployment insurance, oil spill response, mine safety, national flood insurance, agriculture disaster relief, energy policy, and numerous other issues.

Other Issues on Post-Recess Agenda

Following the recess, Congress will be in session for four weeks before the Fourth of July recess. A military supplemental appropriations bill and a defense



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authorization bill are on the agenda for June. The defense bill includes an amendment, adopted yesterday by the House, that would increase, from 23 to 26, the maximum age for children who are eligible for dependent coverage under the CHAMPVA program. Decisions about the budget resolution and the annual appropriations process, as well as conference negotiations on the financial regulatory reform bill, also await Congress after the recess.

House Republicans Introduce “Reform Americans Can Afford Act”

On May 27, House Republican leaders announced the introduction of H.R. 5424, the “Reform Americans Can Afford Act,” which proposes to repeal the “Patient Protection and Affordable Care Act” (PPACA) and replace it with an alternative set of health reforms.

The reforms proposed by this bill are based on legislation, H.R. 4038, that was introduced in November 2009 by Rep. Dave Camp (R-MI), the ranking Republican member of the House Ways and Means Committee. This bill includes provisions addressing the following issues: the interstate sale of health insurance; association health plans; prevention and wellness initiatives; medical liability reforms; improvements to Health Savings Accounts (HSAs); and coverage for persons with pre-existing conditions through state high-risk pools and state reinsurance programs. The introduction of this bill coincided with a public forum, sponsored yesterday by the House GOP Health Care Solutions Group, in which several witnesses raised concerns about the impact PPACA will have on taxpayers, employers, and the physician-patient relationship.

The American Senior Benefits Association (ASBA) is a 501(c)(3) not-for-profit association where membership is completely free. ASBA is committed to lifestyle enhancement through benefits, advocacy and education for the over-50 population. ASBA concentrates its efforts on the issues that are of greatest concern to its members. Through its partners and programs, ASBA members receive product and service discounts, as well as other benefits. Current ASBA membership stands at over 500,000 nationally.