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Senate Adopts Six-Month Medicare Physician Payment “Fix”

AHIP, Washington Update, 6/18/2010

Earlier today, the Senate approved by unanimous consent a six-month Medicare physician payment "fix" that will provide a 2.2 percent payment update from June 1, 2010 through November 30, 2010. This bill, H.R. 3962, will be considered by the House next week, most likely on Tuesday.

The bill passed today by the Senate is very narrowly focused, compared to previous versions of the extenders legislation. It does not address enhanced federal matching funds for state Medicaid programs, premium assistance for unemployed workers with COBRA/state continuation coverage, unemployment insurance, or numerous other legislative provisions that lawmakers have been trying to extend. Senate Majority Leader Harry Reid (D-NV) said this afternoon on the Senate floor that he intends to revisit other extenders provisions "at the earliest possible date."

Senate action on this bill follows a two-week period in which Senate leaders attempted to secure 60 votes for passage of a broader extenders bill. These efforts failed largely because moderates from both parties expressed serious concerns about the broader bill's cost and its impact on the federal budget deficit. The breakthrough on the Medicare physician payment issue was achieved as a result of an agreement to fully offset the \$6.5 billion cost of the six-month fix without adding to the federal budget deficit. The main budget offsets in the Senate-passed bill are pension funding relief provisions that generate higher tax revenue and a clarification of the three-day window for Medicare hospital payments to prevent the reopening of previously bundled claims.

House Defeats Motion to Repeal Individual Coverage Requirement

On June 15, by a vote of 230 to 187, the House defeated a procedural motion proposing to repeal the individual coverage requirement from the "Patient Protection and Affordable Care Act." This motion was supported by 166 Republicans and 21 Democrats.

The motion was offered by Rep. Dave Camp (R-MI), the ranking Republican member of the House Ways and Means Committee, during consideration of H.R.



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5486, the "Small Business Jobs Tax Relief Act." During the brief House floor debate, Camp commented: "The federal government has never required its citizens to purchase a particular product before, and doing so with health insurance violates the basic principles of freedom and individual choice." He also noted that 20 states and the National Federation of Independent Business have filed a lawsuit challenging the constitutionality of the individual coverage requirement.

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.