

June 26, 2008

NACBHDD members,

Late Thursday evening, the Senate passed a supplemental appropriations bill to fund the wars in Iraq and Afghanistan. **Included in the domestic spending amendment was language that contained moratoria to delay implementation of six Medicaid regulations.** This is the same legislation the U.S. House of Representatives passed on June 19, 2008. Since this latest version of the bill was a compromise with the Administration, the President is expected to sign the bill once it reaches his desk.

The regulations included in the bill:

- cost limit for public providers final rule
- rehabilitative services proposed rule
- optional case management services interim final rule
- allowable provider taxes final rule
- payments for graduate medical education proposed rule
- payments for costs of school administration, transportation final rule

Thank you for all of your work on this issue! We have worked a long time to delay these regulations and this is a major accomplishment!! Please reach out to your Senators and Representative to thank them for their work.

Other legislative news

Earlier this week, the House passed H.R. 6331 the Medicare Improvements for Patients and Providers Act by vote of 355-59. However, various obstacles prevented the Senate from passing the bill that would address physician payment cuts. Included in the legislation was a provision that would provide mental health parity to Medicare beneficiaries over a 6 year period. NACBHDD will keep members updated as this legislation is reconsidered in the Senate.

In addition, the Foreclosure Prevention Act was also stalled in the Senate. Though this legislation addresses current housing foreclosure issues, the bill would create a National Housing Trust Fund that would make housing more accessible for low income individuals. It is expected this will be taken up again when the Senate returns from a one week recess.

The House passed the ADA Amendments Act (formerly known as the ADA Restoration Act) earlier this week with a strong bi-partisan vote, 402-17. (See the June 26, 2008 NACBHDD email alert). The legislation now moves to the Senate where no schedule has been indicated and a different set of challenges exist. NACBHDD will update members with any new developments.

Congress will recess next week and return after the July 4th holiday to continue work on FY 2009 appropriations bills. If you have any questions, please feel free to contact us.

Thank you.

July 15, 2008

NACBHDD members,

Yesterday, as promised, President Bush vetoed H.R. 6331, the Medicare Improvements for Physicians and Providers Act. However, just hours later both chambers of Congress acquired enough votes to override the veto. Picking up additional votes from the previous vote to pass the measure, the House tally was 383-41 and the Senate 70-26.

The focus of the bill was to delay a 10.6% cut to physician payment rates. Savings from private Medicare Advantage plans will offset the cost; however this provision will expire in 18 months and Congress will again have to address this issue. Other noted provisions include phased in parity for mental illness and substance use treatment and a requirement to include 6 classes of drugs in the Medicare Part D prescription drug plans; antidepressants, antipsychotics, anticonvulsants, antiretrovirals, antineoplastics and immunosuppressants. Though these categories are generally included in the plan formularies, they require renewal annually and can be left out if plans choose to do so. This provision will ensure these drugs are required to be available.

Thank you for your work on this legislation. Your calls are important and do make a difference. Please contact your Representative and Senators to thank them for their support.

If you have any questions, please feel free to contact us.