



# Washington Update

American College of Osteopathic Internists  
69<sup>th</sup> Annual Convention and Scientific Sessions

Tucson, AZ

October 14 – 18, 2009

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# Overview

- Background
- Recap of Recent Legislative and Regulatory Activity
- Healthcare Reform Debate
- Questions

# Background



# The White House

- President Barack Obama Inaugurated as the 44<sup>th</sup> President of the United States
- Identified health care reform as a top-priority of his administration



# Past Congressional Composition

## ■ 2006 Composition

### ■ House

- 231 Republicans
- 201 Democrats
- 1 Independent

### ■ Senate

- 55 Republicans
- 44 Democrats
- 1 Independent

## ■ 2008 Composition

### ■ House

- 234 Democrats
- 198 Republicans
- 3 Independents

### ■ Senate

- 49 Democrats
- 49 Republicans
- 2 Independents

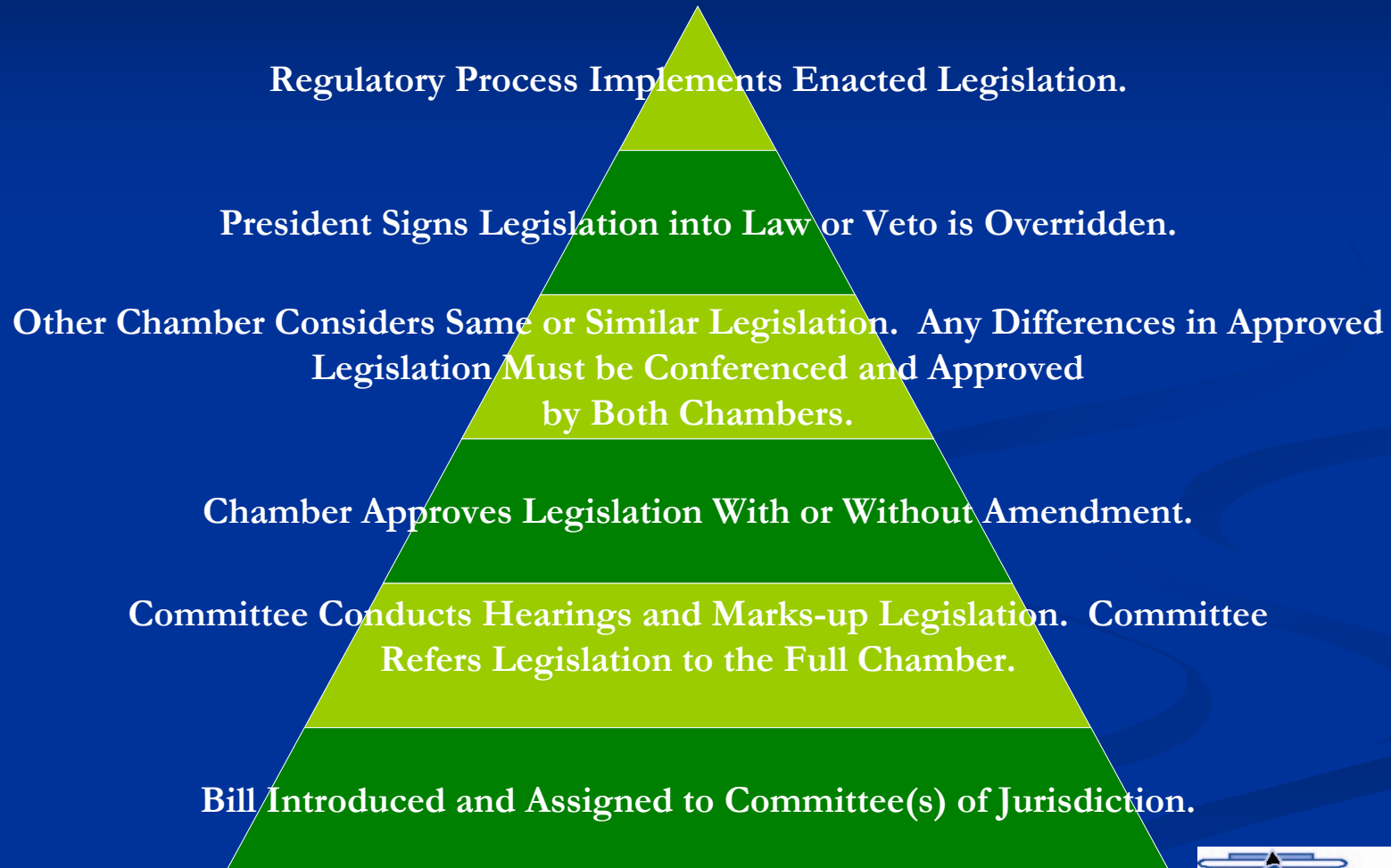
# 2009 Congressional Composition

- U.S. Senate
  - 58 Democrats
  - 40 Republicans
  - 1 Independent
  - 1 Independent Democrat
  
- U.S. House of Representatives
  - 256 Democrats
  - 177 Republicans
  - 2 Vacancies

\*2/3 of Both the House and the Senate are needed to override a Presidential Veto (290 and 67 Respectively)



# The Fundamentals of the Legislative Process



# The Fundamentals of the Regulatory Process

Legislation is Introduced to Refine Final Rules – The Never-Ending Cycle Continues.

Public Comments are Compiled and Final Rules Issued and Implemented.

Proposed Rule is Issued with Request for Public Comment.

Agency Reviews Law and Associated Materials to Draft Proposed Rule.

Regulatory Agency Receives Law to Implement.



# Standing Committees of the House of Representatives

- Agriculture
- Appropriations
- Armed Services
- Budget
- Education and Labor
- Energy and Commerce
- Financial Services
- Foreign Affairs
- Homeland Security
- House Administration
- Judiciary
- Natural Resources
- Oversight and Government Reform
- Rules
- Science and Technology
- Small Business
- Standards of Official Conduct
- Transportation and Infrastructure
- Veterans' Affairs
- Ways and Means



# Standing Committees of the Senate

- Agriculture, Nutrition, and Forestry
- Appropriations
- Armed Services
- Banking, Housing, and Urban Affairs
- Budget
- Commerce, Science, and Transportation
- Energy and Natural Resources
- Environment and Public Works
- Finance
- Foreign Relations
- Health, Education, Labor and Pensions
- Homeland Security and Government Affairs
- Judiciary
- Rules and Administration
- Small Business and Entrepreneurship
- Veterans' Affairs



# Recap of Recent Legislative and Regulatory Activity



# “American Recovery and Reinvestment Act of 2009” (ARRA)

- \$787.2 billion estimated 10-year cost
- Provides for \$19 billion in Medicare and Medicaid EHR incentives from 2011 through 2015
- Established the ONCHIT in statute
- Expands HIPAA patient privacy protections
- Provides \$1 billion for prevention and wellness programs
- Provides \$10 billion for the NIH
- Provides \$500 million for primary care training through Title VII, Title VIII and National Health Services Corps training programs



# “Family Smoking Prevention and Tobacco Control Act”

- Gives the Food and Drug Administration the power to regulate nicotine levels
- Allows FDA to bar flavor additives in tobacco products
- Requires new warning labels on cigarette packages and limits the advertising of tobacco products

# Patient Data Security

- “Red Flags” Rule requires financial institutions and creditors to put in place identity theft prevention programs to identify, detect and respond to specific activities that could indicate identity theft
  - Creditors – “Any entity that regularly extends, renews or continues credit...”
  - Rules go into effect on November 1, 2009
- Rules requiring the notification of consumers when the security of their health information is breached issued by the Federal Trade Commission and the Department of Health and Human Services



# Healthcare Reform Debate





**MAKING SAUSAGE**

# The President's Principles for Reform

- Reduce long-term growth of health care costs for business and government
- Protect families from bankruptcy or debt because of healthcare costs
- Guarantee choice of doctors and health plans
- Invest in prevention and wellness



# The President's Principles for Reform (Cont'd.)

- Improve patient safety and quality of care
- Assure affordable, quality health care coverage for all Americans
- Maintain coverage when you change or lose your job
- End barriers to coverage for people with pre-existing medical conditions



# Senate HELP Committee's Affordable Health Choices Act

- \$615 Billion estimated 10-year cost
- Requires all individuals to have health insurance
- Expands Medicaid eligibility
- Creates state-based American Health Benefit Gateways to be administered by a governmental agency or a non-profit organization for individuals and small employees
- Extends dependent coverage up to 26 years of age for all individual and group policies



# Senate HELP Committee's Affordable Health Choices Act (Cont'd.)

- Creates a Center for Health Outcomes Research and Evaluation Center
- Creates a prevention and public health investment fund
- Reforms graduate medical education to increase the supply, education and training of physicians and others in pediatrics, geriatrics and primary care
- Does not address Medicare reimbursement due to lack of jurisdiction



# Senate Finance Committee's America's Healthy Future Act of 2009

- \$774 Billion estimated 10-year cost
- Requires most US citizens and legal residents to have health insurance
- Creates health insurance exchanges for individuals, families and small employers
- Expands Medicaid and CHIP eligibility
- Prohibits pre-existing condition exclusions
- Establishes an Independent Medicare Commission



# Senate Finance Committee's America's Healthy Future Act of 2009 (Cont'd.)

- Creates an Innovation Center within CMS
- Encourages states to test alternatives to the current medical liability system
- Expands preventative services
- Provides a one year increase of .5 percent for Medicare physician reimbursement (Creates additional primary care bonuses.)
- Redistributes unused graduate medical education slots with priority given to primary care and general surgery



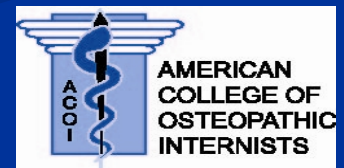
# America's Affordable Health Choices Act of 2009 (H.R. 3200)

- \$1.042 Trillion estimated 10-year cost
- Requires all individuals to carry health insurance
- Creates a Health Insurance Exchange for individuals and small employers to purchase coverage
- Expands Medicaid eligibility
- Creates a public health insurance option
- Creates a Center for Comparative Effectiveness Research



# America's Affordable Health Choices Act of 2009 (H.R. 3200) (Cont'd.)

- Establishes Medicare and Medicaid bonuses for primary care
- Requires disclosure of financial relationships between physicians, drug manufacturers and others
- Reforms the Sustainable Growth Rate formula and includes additional incentives for primary care
- Reforms graduate medical education by redistributing residency slots and promotes training in primary care



# Where Do We Go From Here?



# House of Representatives

America's Affordable Health Choices Act of 2009

Ways and Means

Education and Labor

Energy and Commerce

Rules Committee

House/Senate Conference Committee

Full House



# US Senate

**Finance**

**“America’s Health Future Act  
of 2009”**

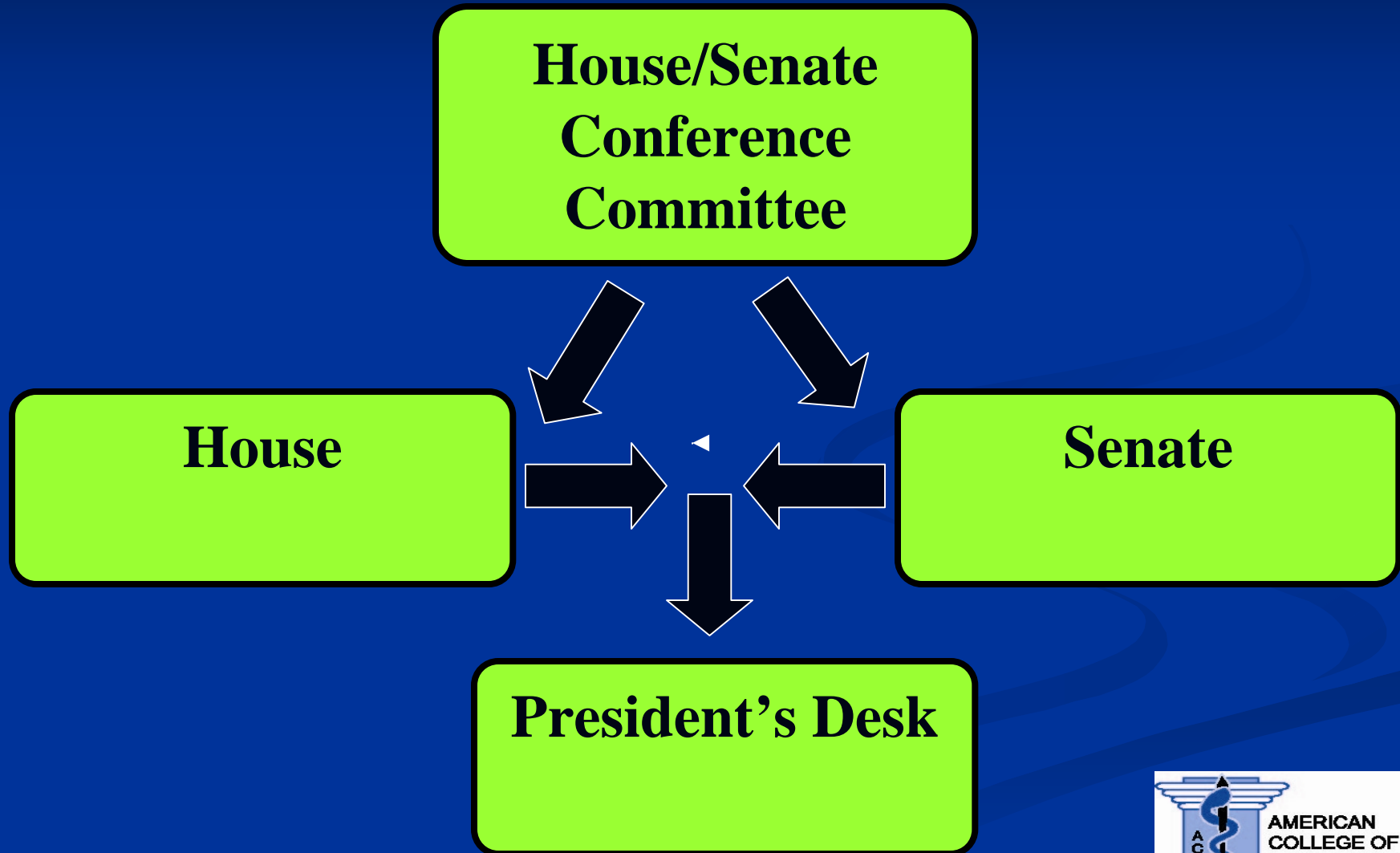
**Health, Education,  
Labor and Pensions**

**“Affordable Health Choices  
Act”**

**Full Senate**

**House/Senate  
Conference  
Committee**

# House/Senate Conference Committee



# “Medicare Physician Fairness Act of 2009” (S. 1776)

- Repeals the Sustainable Growth Rate (SGR) Formula



- In Service to all Members, All Members in Service
- General Information
- Interact with ACOI
- News of Note
- Government Affairs
- Member Services
- Professional Opportunities
- CME
- Certification
- Residency Training
- Student Information
- Links
- Home

# ACOI American College of Osteopathic Internists

NEWS — Wednesday Sep 30, 2009: Register today for ACOI's 69th Annual Conven



**LETTER FROM THE PRESIDENT**  
This month, Dr. Chaudhry explores the significance of "Practicing According to Evidence," the theme of the upcoming 69th

Annual Convention in Tucson.  
[Read.](#)

### MEDICARE SCAM ALERT!

Medicare FFS providers, including physicians, non-physician practitioners, should be aware of this current scam.  
[Click here](#) for more information.



**2009 ACOI HISTORY PROJECT**  
The ACOI is appealing to long-time

American College of Osteopathic Internists  
**TUCSON 2009**  
**69th ANNUAL CONVENTION AND SCIENTIFIC SESSIONS**  
Registration now available for the October 14-18, 2009 Convention in Tucson. [Register now.](#)

### NEW FEATURE! PHYSICIAN FINDER

This Physician Locator service provides access to a list of practicing osteopathic internists and subspecialists who are members of the ACOI. [Search.](#)

### 4th ANNUAL WINTER HOSPITAL MEDICINE UPDATE

Las Vegas, NV, is the venue for this 4th Annual Winter Meeting, November 9-13. Up to 24 hours 1A Internal Medicine CME Available. Information and registration is now [available online.](#)





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