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Tom Koutsoumpas, TKoutsoumpas@mlstrategies.com
Jeremy Rabinovitz, JRabinovitz@mlstrategies.com
Alexander Hecht, AHecht@mlstrategies.com
Gary Bacher, GEBacher@mintz.com
Kevin M. Kappel, KMKappel@mlstrategies.com
Robert C. Skinner, RCSkinner@mlstrategies.com
Joshua Booth, JBooth@mintz.com

ML Strategies, LLC
701 Pennsylvania Avenue, N.W.
Washington, D.C. 20004 USA
202 434 7300
202 434 7400 fax
www.mlstrategies.com

HEALTH CARE REFORM UPDATE July 9, 2012

Implementation of the Affordable Care Act (the ACA)

On July 2nd the Kaiser Family Foundation released a poll finding that 56 percent of Americans would like to see the ACA's opponents stop their efforts to block its implementation and move on to other national issues. The findings can be found [here](#).

Other HHS and Federal Regulatory Initiatives

On July 2nd the Centers for Medicare & Medicaid Services (CMS) issued a proposed rule that would update payment policies and rates under the End-Stage Renal Disease Prospective Payment System. The proposed rule can be found [here](#). The CMS press release can be viewed [here](#).

On July 2nd the Department of Health and Human Services (HHS) announced that it was awarding more than \$971 million under two major emergency preparedness programs. The grants include \$352 million awarded under the Hospital Preparedness Program (HPP), which provides funding to help hospitals increase preparedness for public health emergencies, and \$619 million awarded under the Public Health Emergency Preparedness (PHEP) cooperative agreement, which provides funding to public health departments. An HHS news release can be found [here](#). More information about the HPP can be found [here](#). More information about PHEP can be found [here](#).

On July 3rd the Food and Drug Administration (FDA) released a proposed rule requiring that most medical devices sold in the United States carry a unique device identifier. An FDA statement can be seen [here](#). The proposed rule can be seen [here](#).

On July 5th HHS auditors released a "comprehensive audit protocol" that lays out the requirements that will be examined when conducting the HIPAA privacy and security audits mandated in the American Recovery and Reinvestment Act of 2009. The audit protocol can be seen [here](#).

On July 6th CMS released proposed changes to payment regulations in several areas, including a potential \$20 million cut to payments for home health services. The proposed changes to payments for home health services can be found [here](#).

On July 6th CMS issued a proposed rule that would increase payments to family physicians by approximately 7 percent and other practitioners providing primary care services between 3 and 5 percent. The increase in payment to family practitioners is part of the proposed rule that would update payment policies and rates under the Medicare Physician Fee Schedule (MPFS) for calendar year (CY) 2013. The press release can be viewed [here](#). The proposed rule can be found [here](#).

Other Congressional and State Initiatives

On July 1st Governor Rick Scott of Florida announced that he will not implement optional portions of the ACA. Governor Scott stated that he will not expand Florida's Medicaid program and will opt out of building a state-run health insurance exchange. The press release can be found [here](#).

Other Health Care News

On July 2nd the Journal of the American Medical Association released a report examining the costs of operating primary care clinics under a patient-centered medical-home (PCMH) model. The report found that, although PCMH may reduce health care costs through reduced hospitalizations, the costs to the primary care clinic rise significantly under the model. The authors suggest that payment reform is needed to ensure the model's sustainability. The report can be found [here](#).

On July 2nd the Urban Institute released a study analyzing the number of Americans who are likely to be subject to the ACA's fine for failing to obtain health insurance. The results can be found [here](#).

On July 5th the Urban Institute released a study analyzing the effect of states' decisions to forego the ACA's Medicaid Expansion as permitted by the Supreme Court's ruling. The study suggests that nationwide, if no state accepted the expansion, 15 million fewer individuals would be covered by Medicaid. Of these, 11.5 million have incomes below the federal poverty level and would not be eligible for tax subsidies or other assistance. The findings can be found [here](#).

Hearings & Mark-ups Scheduled

House of Representatives

On July 10th the House Committee on Ways and Means will hold a hearing to explore the implications of the Supreme Court's ruling that the individual mandate is constitutional, particularly as it relates to Congress's authority to lay and collect new taxes. The hearing will take place in 1100 Longworth House Office Building; beginning at 10:30 A.M. Details on the hearing can be seen [here](#).

On July 10th at 10:00 am the House Committee on Oversight and Government Reform will hold a hearing entitled "Examining the Impact of Obamacare on Doctors and Patients." More information can be found [here](#).

On July 10th at 1:30 pm the House Committee on Oversight and Government Reform will hold a hearing entitled “Examining the Impact of Obamacare on Job Creators and the Economy.” More information can be found [here](#).

Senate

On July 11th Senate Finance Committee Chairman Max Baucus (D-Mont.) will hold a roundtable discussion entitled, “Medicare Physician Payments: Perspectives from Physicians.” The roundtable will take place at 10:00 a.m. in Room 215 of the Dirksen Senate Office Building. More information can be found [here](#).