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HEALTH CARE REFORM UPDATE August 19th, 2013

Leading the News

CMS Announces Navigator Grants

On August 15th, the Centers for Medicare and Medicaid Services (CMS) **announced** that \$67 million in navigator grants will be split between 105 organizations across the country in states that are part of the federally-facilitated and state partnership exchanges. The navigators will serve as an in-person resource for consumers looking for additional assistance on the ACA marketplace. Prior to the announcement, 13 state attorneys general sent a **letter** to HHS Secretary Sebelius with concerns about a lack of steps by HHS to protect the privacy of Americans who will shop for insurance on the ACA exchanges, requesting navigators and assisters must be provided with greater training to protect Americans' privacy.

Implementation of the Affordable Care Act

On August 12th, Senate Minority Leader Mitch McConnell (R-KY) sent a **letter** to CMS Administrator Marilyn Tavenner calling on the Obama administration to delay the opening of the health insurance exchanges on October 1st. Citing a recent report from the HHS inspector general, which found CMS had missed several deadlines for testing the exchanges' IT systems, Senator McConnell expressed concern that personal data will be insufficiently protected.

On August 12th, Ronald White, a U.S. District Court judge in Oklahoma, **ruled** the state may challenge the use of subsidies for individuals who live within states that will have their ACA exchange run by the federal government.

On August 13th, HHS and CMS **issued a regulation** to allow the IRS and the Department of Veterans Affairs to share tax information with officials working to implement the ACA.

On August 13th, Rep. Jim McDermott (D-WA) sent a [letter](#) to CMS Administrator Marilyn Tavenner with concerns about the length of time it is taking the agency to review disclosures from doctors that are meant to ensure providers do not make financially advantageous patient referrals.

On August 13th, the Washington, D.C., Health Benefit Exchange Authority [announced](#) 35 groups will be awarded \$6.4 million to provide assistance for individuals, families, and small businesses that want to enroll for health insurance through the D.C. exchange.

On August 14th, the Kaiser Family Foundation (KFF) released a [report](#) analyzing the tax subsidies that will be provided to individuals who earn between 100% and 400% of the federal poverty level (FPL) and purchase insurance on the ACA exchanges. KFF suggests 48% of Americans who currently purchase coverage on the individual market will be eligible for exchange subsidies.

On August 14th, Rep. Diane Black (R-TN) issued a [statement](#) condemning the Washington, D.C., health insurance exchange for providing a \$375,000 to Planned Parenthood to assist individuals with enrollment on the ACA exchanges.

On August 14th, Glenn Gallas, chairman of the tea party group Arkansans Against Big Government, [announced](#) his group failed to collect the nearly 47,000 signatures necessary to place a measure to block Medicaid expansion on the ballot in Arkansas in 2014.

On August 15th, Rep. Shelley Moore Capito (R-WV) [said](#) she will introduce a bill to ensure that members of Congress are not eligible for federal subsidies through the ACA exchanges.

On August 15th, the American Hospital Association (AHA), the Federation of American Hospitals (FAH), and the Association of American Medical Colleges (AAMC) sent a [letter](#) to CMS Administrator Marilyn Tavenner requesting the federal government to ensure qualified health plans (QHPs) provide health insurance coverage for a full three-month grace period to individuals who stop paying premiums. The letter suggests any flexibility on the grace period will inappropriately burden hospitals.

On August 16th, HHS and CMS [issued a regulation](#) to allow the Department of Homeland Security and U.S. Citizenship and Immigration Services to review the immigration status of individuals who apply for insurance coverage on the ACA exchanges.

Other HHS and Federal Regulatory Initiatives

On August 15th, the Federal Employees Health Benefits Program (FEHBP) [identified](#) 14 states as “medically underserved,” a designation that will provide special consideration for enrollees of certain FEHBP plans in those states.

On August 15th, CMS released a [letter](#) to state health officials on eligibility reviews under the Payment Error Rate Measurement (PERM) and the Medicaid Eligibility Quality Control (MEQC) programs.

On August 15th, the HHS Office of Inspector General released a [report](#) on critical access hospitals (CAHs). The report notes 64% of CAHs, if they were to reapply today, would not meet aid qualification requirements. Medicare could have saved \$860,000 for each of the 849 decertified hospitals in 2011.

Other Congressional and State Initiatives

On August 15th, Rep. Jim McDermott (D-WA) [urged](#) the Government Accountability Office (GAO) to review hospital consolidation and the impact on prices for consumers.

Other Health Care News

On August 15th, the Alliance for Health Reform hosted a [briefing](#) on disasters and public health preparedness. The briefing offered perspectives from state and federal officials on the ability of the United States to handle health issues related to natural and manmade disasters.

Hearings and Mark-Ups Scheduled

The Senate and the House of Representatives are in recess until the week of September 9th.