

This Week in Health Care Reform: February 1, 2012

The 'doc fix' bill goes up, Americans are skeptical about the Supreme Court and ideology, and voters in Florida head to the polls.

We encourage you to stay involved with the implementation efforts surrounding health care reform by voicing your perspective to Members of Congress and by visiting the [Health Action Network](#).

Polling

The Court of Public Opinion: In the [latest](#) Kaiser Health Tracking Poll, 75 percent of Americans believe that the Supreme Court Justices will base their ruling on the health care law challenge on ideological beliefs rather than strict interpretation of the law. Further, the majority of respondents had an unfavorable view of the individual mandate (67 percent) and believed the Court should strike it [down](#) (54 percent).

Health Care Reform

Way Forward-ish on EHB: Last week, the Department of Health and Human Services (HHS) [released](#) further guidance on what essential benefits must be [included](#) in health coverage offered in the states going forward ahead of yesterday's deadline for comments. This latest release comes on the heels of their [earlier](#) decision not to establish a definitive list of bare minimum services to be covered, allowing the states greater flexibility in the decision-making process.

Another MLR Denial: Following a series of [similar](#) rejections, last week, HHS denied [Texas'](#) waiver application from the Affordable Care Act's (ACA) medical loss ratio (MLR) requirements. For those of you keeping [score](#), only six states have been granted approvals, while nine have seen their applications rejected. Two more states, North Carolina and Wisconsin, await decisions on their waiver applications.

Companion 'Broker Bill' Expected: A Senate broker bill sponsored by Sens. Mary Landrieu (D-Louisiana), Ben Nelson (D-Nebraska), and Johnny Isakson (R-Georgia) is expected to be released in the coming days. Similar to an earlier House version, the proposed legislation would seek to exempt insurance broker compensation from MLR calculations.

CLASS Vote: The final vote on repeal of the ACA's long-term care program (*Community Living Assistance Services and Supports* program or CLASS) was brought before the full House of Representatives today. CLASS having been abandoned by the administration in October of last year as unworkable, the repeal bill is expected to meet [resistance](#) when it makes its way to the Senate.

Supreme Court Update

Roundup: As mentioned earlier, recent polling by the *Kaiser Family Foundation* indicates the majority of Americans believe the Supreme Court will eventually [overturn](#) the ACA's individual mandate. Also, the majority believe [ideology](#) will affect the final ruling. House GOP leaders are [prepared](#) to act if the Court overturns the health care law. And, lawyers for the administration file a [brief](#) arguing that the ACA can survive without the individual mandate.

In Other News

Higher 'Doc Fix' Bill: As the *Payroll Tax Cut* conference committee convenes to, amongst other things, find a permanent solution to an impending pay cut for Medicare doctors, the Congressional Budget Office (CBO) released its latest Budget and Economic Outlook report this week. Earlier estimates for a decade-long 'doc fix' pegged the cost at \$290 billion. However, the [latest](#) report by CBO estimates that the repeal would actually cost \$316 billion.

Federal Health Spending Outlook: Also in that newly released CBO [report](#), federal spending on health care is expected to double over the next decade. According to their [analysis](#), total federal outlays on Medicare, Medicaid, and other health services is projected to climb to 7 percent of the entire economy – or \$1.8 trillion.

GOTV

Sunshine for Romney: Former Massachusetts governor Mitt Romney became the [first](#) candidate to officially win two states in the race for the GOP presidential nomination. Capturing all of Florida's 50 delegates establishes Romney as the front-runner heading into Saturday's primary in Nevada.

Congressional Attrition Continues: This past week, two more members added their names to the ever-growing list of Congressional pension beneficiaries. Last Wednesday, Rep. Brad [Miller](#) (D-North Carolina) announced his retirement at the end of this year. Also, on Tuesday, Rep. Dan [Burton](#) (R-Indiana) announced his decision to not seek re-election this November.

Looking Ahead

CLASS repeal wends its way from the House to the Senate, a new broker bill is expected, and candidates look to cash in their chips in the Silver State.

See something you'd like covered in the next newsletter? [Let us know.](#)