

Legislative Report January 29th, 2011

The House and Senate convened on January 5th. The House leadership has adopted a calendar that includes a “constituent work week” at least once a month. The first constituent work week begins on Jan. 28th. In the interim, the House will recess for the Republican members’ retreat Jan. 13-15, Martin Luther King Day on Jan. 17, and the Democratic members’ retreat Jan. 20-22. The Senate recessed on Jan. 8 and reconvenes on Jan. 24.

112th Congress

Republican Members Named to Key House Subcommittees

The House finished its first week of business with announcements by several committee chairs about the Republican make-up of their subcommittees. House Energy and Commerce Committee Chair, Fred Upton (R-MI) announced the Republican members of the Committee’s Subcommittee on Health, which has jurisdiction over Medicaid. In addition, House Appropriations Committee Chair Hal Rogers (R-KY) announced the Republican members of the Labor, Health and Human Services Appropriations Subcommittee, which funds most federal health programs. Democratic members of the Subcommittees have not yet been named.

FY 2011/2012 Budget

House Republicans Adopt New “Cut-as-you-go” Rules for Tax and Spending

Legislation. The new Republican leadership in the House is making good on its promise to change spending and taxation rules in order to reign in spending. Immediately following the official swearing-in ceremonies on Jan. 5, the House adopted H Res 5, which includes new “cut-as-you-go” rules that require mandatory spending increases to be offset by reductions in other mandatory spending, not by tax increases. The resolution was adopted by a party-line vote. Unlike “Paygo” rules of earlier Congresses, the new rules do not require offsets for tax cuts.

The “cut-as-you-go” rule is one of several new fiscal rules that Republicans intend to pass to move the House closer to the leadership’s goal of drastic spending cuts. At the end of 2010, House Republicans pledged to cut about 21 percent from FY 2010 spending levels to bring overall discretionary spending down to 2008 levels. House leadership has not stepped away for that goal and may begin with the establishment of new overall FY 2011 spending caps. Congress failed to enact a final FY 2011 budget and, under the new rules, Budget Committee Chair Paul Ryan (R-WI) has the authority to revisit this year’s budget and adopt new spending caps.. To meet new, presumably lower caps, House Republicans are expected to offer a “recessions” package to eliminate spending that was previously approved through the appropriations process for FY 2011. Though the actual package of rescissions is not known, it is likely that certain departments and programs will suffer larger cuts than others.

The anticipated House spending cuts set the stage for a battle with the Senate, which is not expected to support dramatic cuts in FY 2011 spending and has not adopted similar budgeting rules. Both chambers will need to address spending issues before March 4, the

date that the current continuing resolution, which is funding most federal programs at fiscal year 2010 levels, expires.

Health Reform

House Sets Stage for Health Reform Repeal: Postpones Vote after Arizona Shooting
Republican leaders had set Jan. 12 as the date for a vote on HR 2 to repeal the health care reform law and on the resolution that urges adoption of a replacement package.

However, following the tragic shooting of Rep. Gabrielle Giffords (D-AZ) and others in Tucson, AZ on Jan 8, the leadership postponed all legislative action in the House. A new date for the repeal vote has not been set.

Though a vote to repeal the health reform law is expected to pass the House, Senate leadership is unlikely to bring a similar bill to vote in that chamber. The largely symbolic vote is expected to be the first of many legislative attempts by House Republicans to either repeal or modify various provisions of the law in the upcoming months.

Medicaid/CHIP

Republican Governors Seek Relief from Medicaid Maintenance of Effort Requirements

In a January 7 letter to President Obama, Health and Human Services Secretary Sebelius and congressional leadership, 33 Republican governors and governor-elect asked for a loosening of Medicaid rules to allow states to scale back their Medicaid programs. The governors asked that “maintenance of effort (MOE)” requirements imposed by the American Recovery and Reinvestment Act and the health reform law be removed to allow states to limit eligibility and/or benefits. The request comes as states continue to face extremely challenging fiscal situations and is intended to provide states “the flexibility to control their program costs and make necessary budget decisions.” Any changes to the MOE requirements would require legislative action.

President Obama made two things clear about health care in his State of the Union speech: he is willing to change it around the edges and he is ready to put it in the rearview mirror. Instead of re-fighting the battles of the last two years, let’s fix what needs fixing and move forward, Pres. Obama said.

President Obama challenged Republicans Tuesday night to help him “improve” the health care law, and offered to work with them on two changes he’s suggested before adding medical malpractice reform and getting rid of an unpopular paperwork requirement for small businesses.

But Pres. Obama insisted he’ll fight any efforts to repeal or otherwise block his signature legislative achievement, saying he refuses to “go back to the days when insurance companies could deny someone coverage because of a pre-existing condition”. The law is already helping seniors pay for their prescription drugs, he said, and allowing young adults to get insurance through their parents.

This letter from the ANA:

Thanks to your hard work and outreach over the last 2 years. We were finally able to get real meaningful health care reform enacted into law. Now this historic legislation is under threat. Last Wednesday the House of Representatives passed a bill to repeal the Patient Protection and Affordable Care Act (PPACA), by a near party line vote of 245-189. While it is unlikely that the Senate will take up full repeal legislation or that it will have enough votes needed to override a Presidential veto, this vote is the opening salvo in a systematic attempt to roll back all of the provisions we fought so hard to secure, including:

1. A new focus on patient-centered care and recognition of the vital role that nurses play in health care delivery.
2. Emphasis on coordinated models of care, and major investments in health care quality and nursing workforce development.
3. Closing the medicare donut-hole for senior.
4. Eliminating the denial of coverage based on pre-existing conditions.
5. Allowing children to stay on their parents' health insurance until they are 26 years old.

These and many other life-saving benefits would be removed if the new Congress has its way. We can't let that happen – we need your help again. Renew your commitment to health care reform. A recent poll conducted by the Washington Post ABC news found that only 18% of Americans are now in favor of a full repeal of the PPACA and a 56% majority said it should have done more.

At ANA, we believe that affordable, accessible, quality, health care for all should not be a partisan or political issue. We look forward to working with all members of Congress to continue to strengthen our nations health care system. We recognize there is still work to be done to expand access, improve quality, reduce spending by lowering costs, and eliminate barriers to practice for nurses and other providers essential to patient care.

Together we will fight to protect the hard-won, health care reform law that is vital to the future of this country.

ANA Gov't Affairs

Georgia's Budget

Governor Nathan Deal will unveil his budget proposal to state lawmakers the first week of the session. In response to outgoing Governor Perdue's executive order to state agencies to cut the current FY 2011 budget and FY 2012 budget (that begins July 1, 2011), the Department of Community Health recommended to the Governor's Office of Planning and Budget significant Medicaid payment cuts to physicians, nursing homes and other health providers ranging from 4% to 8% in the current budget year and 6% to 10% in the FY 2012 budget year. The Department did not make recommendations to the governor to cut hospital payments based on the implementation of the hospital tax in the last legislative session. However, DCH did model future hospital payments cuts and presented those scenarios at its August board meeting. Needless to say, this scenario has the potential to pit providers against one another in an effort to negate Medicaid provider cuts.

In Gallup's annual survey that ranks occupations by their perceived honesty and ethical standards, nurses finished as the most trusted profession for the 11th time in 12 years. According to the survey, 81% of responders believe nurses' honesty and ethical standards are "high" or "very high".

Survey results are based on telephone interviews with 1,000 adults. Nurses were first included in the Gallup poll in 1999 and have received the highest ranking every year except 2001, when firefighters took first place.

Respectfully submitted,
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