



Supporting Quality Health Care Services at Home

## Special Alert

June 21, 2002

### **Energy and Commerce Committee Passes Medicare Bill**

At approximately 8 am this morning, after an all-night session, the House Energy and Commerce Committee passed its version of the Prescription Drug Medicare reform bill.

No significant changes were made during the mark-up process.

Unlike the Ways and Means Committee version, the bill DOES NOT include a copay for home health services. The bill would also eliminate the 15 percent cut, but still contains provisions for implementing competitive bidding.

Congressman Sherrod Brown (D-OH) offered an amendment to strike competitive bidding provisions and was defeated on a partisan voice vote – as were dozens of other amendments offered to the bill.

Congressman Brown used respiratory as one example of the problem of recognizing services adequately under competitive bidding. Congressman Joe Barton (R-TX) spoke in favor of competitive bidding, saying that 90 percent of DME claims are fraudulent, making reference to the VA prices and noting that most of the savings in the bill comes from the competitive acquisition provision.

Congressman Christopher Cox (R-CA) offered an amendment to study the reimbursement for inhalation therapy. Both Rep. Brown and Committee Chairman Billy Tauzin (R-LA) spoke in favor of the amendment, and the Committee approved this study.

Congressman Eliot Engel (D-NY) introduced his infusion bill as an amendment, asking the Chairman for a commitment to properly recognize services in this area in the context of AWP reform later this year. Congressman Tauzin remarked that he wanted to work with Rep. Engel on this point, and Engel withdrew his amendment.

Congressman Henry Waxman (D-CA) offered an amendment to include a copay for home health, a provision which was adopted in the Ways and Means Committee's version of its bill, in order to have the Energy and Commerce Committee go on the record as opposing it. The amendment failed 0-2-45.

Congressman Ed Markey (D-MA) offered an amendment to revise the definition of homebound. The amendment was withdrawn as Chairman Tauzin offered to work with Rep. Markey on this issue in the future.

The bills reported this week by the Energy and Commerce and Ways and Means Committees will now go to the House Rules Committee next week where the differences will be worked out. A final bill is expected to be sent to the floor next week.

Further details about this week's activities in the House will be followed up in today's AAHomecare *Update* newsletter.