

# CTAS December Legislative Affairs Report

**Lame duck congress, nothing happening until Jan 2011 112<sup>th</sup> Congress convenes.**

The Republican gain of 63 seats in the House marks a sea change in policy perspective but may not produce major substantive changes in law. Although the new leadership will probably have little difficulty passing bills out of the House, the fate of those bills lies in the hands of the Senate. Efforts to repeal or make major changes to the ACA will probably never reach President Barack Obama's desk for his veto.

A new *Harris Interactive/HealthDay* poll, taken three weeks after the November elections shows that Americans are still deeply divided over the nation's new health-care reform package, with 28 percent of adults wanting to repeal the legislation while 31 percent favor keeping all or most of the reforms.

Another 29 percent aren't sure what should be done

But the poll revealed an interesting paradox: Large percentages of even those people who want the law repealed are happy with many of its provisions.

The biggest objection is the individual mandate.

- **Medicare part D coverage**

Requires pharmaceutical manufacturers to provide a 50% discount on brand-name prescriptions filled in the Medicare Part D coverage gap beginning in 2011 and begins phasing-in federal subsidies for generic prescriptions filled in the Medicare Part D coverage gap. **Implementation:** January 1, 2011

- **Medicare Advantage Payment Changes**

Restructures payments to private Medicare Advantage plans by phasing-in payments set at increasingly smaller percentages of Medicare fee-for-service rates; freezes 2011 payments at 2010 levels; and prohibits Medicare Advantage plans from imposing higher cost-sharing requirements for some Medicare covered benefits than is required under the traditional fee-for-service program. **Implementation:** January 1, 2011

- **Medicaid Health Homes**

Creates a new Medicaid state option to permit certain Medicaid enrollees to designate a provider as a health home and provides states taking up the option with 90% federal matching payments for two years for health home-related services. **Implementation:** January 1, 2011

- **CLASS Act. (Community Living Assistance Services and Support Act)**

Establishes a national, voluntary insurance program for purchasing community living assistance services and supports (CLASS program). **Implementation:** January 1, 2011

- **Funding for Health Insurance Exchanges**

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Provides grants to states to begin planning for the establishment of American Health Benefit Exchanges and Small Business Health Options Program Exchanges, which facilitate the purchase of insurance by individuals and small employers.

**Implementation:** Grants awarded starting March 23, 2011; enrollment in Exchanges begins January 1, 2014

- **Medicaid Long-Term Care Services**

Creates the State Balancing Incentive Program in Medicaid to provide enhanced federal matching payments to increase non-institutionally based long-term care services and establishes the Community First Choice Option in Medicaid to provide community-based attendant support services to certain people with disabilities. **Implementation:** October 1, 2011