

OVERNIGHT HEALTH: GOP raises privacy issues with Obama health law

By Julian Pecquet and Sam Baker - 10/13/11 06:12 PM ET

Hand over your records: The GOP has a new attack line against Democrats' healthcare law: privacy. House Republicans say a proposed regulation would require health plans to turn over claims data to the federal government. The Obama administration says the privacy concerns are overblown.

The proposal, says the Department of Health and Human Services, "does not propose that States collect personal data such as name, social security number or address for the risk adjustment program." Healthwatch's Julian Pecquet has the [story](#).

Perry defends health record: Supporters of Texas's medical malpractice laws — including GOP Gov. Rick Perry — are pushing back against a report that says the laws have made healthcare worse in the state.

The liberal advocacy group Public Citizen says that since Perry signed tort reform into law in 2003, the state has failed to attract enough doctors or control premiums. According to Perry's office, the growth in the number of doctors practicing in Texas has outpaced population growth by 84 percent since tort reform became law. Healthwatch's Sam Baker has [more](#).

Medicaid push: Healthcare advocates are keeping up their press against including Medicaid cuts in a deficit-reduction deal. Several groups, including Families USA, the NAACP and the National Council of La Raza, released a report Thursday that says black and Latino people would suffer the brunt of any cuts to Medicaid.

Blacks and Latinos are more than twice as likely to rely on Medicaid as whites, the report says, and therefore would be especially vulnerable if the congressional supercommittee were to cut the program. A variety of potential cuts is on the table, but Medicaid would be shielded from the automatic cuts triggered if the supercommittee doesn't reach an agreement.

The report is online [here](#).

Friday's agenda

The Office of the National Coordinator for Health IT co-hosts the first ever gathering of the ONC and the U.S. Department of Health and Human Services. During the meeting with policy experts, healthcare providers, patient organizations and technology executives, the ONC will announce new policy standards to help facilitate care coordination and transitions.

The "Putting the IT in transitions" [event](#) will take place at the Center for Total Health from 8 a.m. to 3 p.m.

Also, the conservative Institute for Policy Innovation holds a Capitol Hill briefing on the Centers for Disease Control and Prevention's delay in recommending the routine administration of a new vaccine to prevent infant meningitis. The CDC has taken the [unusual step](#) of seeking public input before making its recommendation, something that has vaccine champions worried about political influence. Rep. Michael Burgess (R-Texas) will offer opening remarks.

State by state

Nebraska's insurance commissioner [says](#) the state isn't ready to decide whether it will set up its own insurance exchange.

New York regulators will begin [releasing](#) more information about insurers' premium increases.

The top healthcare official in Louisiana [said](#) the healthcare law's Medicaid expansion will result in the "cannibalization" of private health insurance.

Advocates in Maryland are [pushing](#) for an increase in the state's cigarette tax.

Bill tracker

The Ways and Means Committee voted along party lines to pass legislation tightening the eligibility standard for Medicaid and insurance subsidies under the healthcare reform law. Healthwatch has the [story](#).

Sens. Amy Klobuchar (D-Minn.), Richard Burr (R-N.C.) and Michael Bennet (D-Colo.) introduced legislation to make it easier for medical devices to get FDA approval. The Medical Device Regulatory Improvement Act:

- requires FDA to "focus only on the relevant information during the decision-making process; consider appropriate alternatives to reduce the time, effort, and cost of reaching regulatory decisions; and use all reasonable mechanisms to reduce review times when making these decisions";
- weakens "overly stringent" conflict of interest restrictions to help the agency find qualified experts to serve on advisory committees; and
- directs the FDA to contract with an outside entity to conduct a thorough review of the management and regulatory processes at the agency's Center for Devices and Radiological Health.

Separately, the House Energy and Commerce Committee announced that recent hearings into the medical device regulations were meant to "lay the foundation to strengthen the review and approval process" and that "legislative solutions to protect patients, jobs, and innovation will be introduced soon." A series of FDA-related bills are expected to be introduced over the next few days.

Rep. Chris Murphy (D-Conn.) introduced legislation restoring Medicaid to eligible inmates 21 or younger upon their release from a public institution (H.R. 3172).

Fraud fight

Check out the latest state-by-state Medicaid fraud for 2010 on this cool interactive [map](#).

Federal authorities in Florida [indicted](#) 24 people — including a doctor, a pharmacist and two pain clinic operators — on charges of oxycodone trafficking and healthcare fraud.

A Philadelphia hospice owner was [charged](#) with defrauding Medicare of more than \$14 million through his home hospice business.

The owner of a Houston durable medical equipment company was [sentenced](#) to 33 months in prison for Medicare fraud.

A Pennsylvania doctor was [charged](#) with trading prescription drugs for sex with a patient.

An Atlanta doctor was [sentenced](#) to 15 months in prison for attempting to bilk Medicare and Medicaid for more than \$2 million for psychological services he never provided to elderly nursing home patients — some of whom were dead.

Lobbying registrations

Navigators Global / Walgreen Co. (issues related to the TriCare Program)

Reading list

For all the theatrics in Congress this week, the real fight over abortion is happening in the states, *The Washington Post's* Sarah Kliff [says](#).

Mitt Romney's healthcare law in Massachusetts raised taxes, the Cato Institute [writes](#).

Former insurance industry exec Wendell Potter [interviews](#) California Insurance Commissioner Dave Jones.

What you might have missed on Healthwatch

A program for rural doctors has more than [doubled](#) under President Obama

California insurer to [give back](#) \$295 million

Comments / complaints / suggestions? Please let us know:

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