



OVERNIGHT HEALTH: Congress approves 9/11 health benefits

By Jason Millman - 12/22/10 06:00 PM ET

Welcome to The Hill's evening roundup of the day's health policy news and advance look at tomorrow's schedule.

Wednesday's health news:

Congress approve 9/11 benefits: A \$4.3 billion bill providing health benefits and compensation to Ground Zero first-responders passed through Congress Wednesday afternoon after Senate Democrats struck a last-minute deal with Sen. Tom Coburn (R-Okla.), who had been blocking the bill. Failure to pass the bill Wednesday would have doomed it in the lame duck, and its chances next year were thought to be slim in a Republican-controlled House. <http://bit.ly/gBRRPB>

Coburn explains hold-up: Coburn, who was being pressured by members of his own party to allow a vote, said the new bill is cheaper, has better cost protections and requires more oversight. Over the past week, the bill's cost has been cut from \$7.4 billion to \$6.2 billion to \$4.3 billion. The Congressional Budget Office (CBO) said the new bill will cut \$433 million from the deficit through 2020.

"I'm pleased the sponsors of this bill agreed to lower costs dramatically, offset the bill, sunset key provisions and take steps to prevent fraud," Coburn said in a statement. "Every American recognizes the heroism of the 9/11 first responders, but it is not compassionate to help one group while robbing future generations of opportunity."

"Christmas miracle" comes through: "The Christmas Miracle we've been looking for has arrived," said New York Democratic Sens. Charles Schumer and Kirsten Gillibrand in a joint statement.

The bill passed the Senate unanimously. The House approved it 206-60, with 168 lawmakers missing the vote.

Lame duck scorecard: With the 111th Congress coming to a close Wednesday, it's worth looking back at its healthcare accomplishments during a busy lame-duck session. Action included a one-year "doc fix," a revamped nursing home payment system, child nutrition reauthorization, a food-safety bill, 9/11 health benefits and leadership appointments to the powerful House Energy and Commerce Committee.

Lamest duck: Despite having President Obama's backing, Congress failed three times to repeal "1099" requirements in the healthcare reform law.

Large group rates may be reviewed: Federal regulators will consider applying new health insurance

consumer protections that were announced Tuesday to the large-group market, a Health and Human Services (HHS) Department official told The Hill.

The proposed rule would require health insurers that increase premiums by more than 10 percent in the individual and small-group market to publicly justify the higher rates, but HHS is looking at the possibility of including the large-group market. The small and individual markets are more prone to volatile rate hikes, while the large-group market isn't accustomed to such scrutiny.

<http://bit.ly/hwwKPU>

Kohl drops hold on DEA nominee: Sen. Herb Kohl (D-Wis.) dropped his hold on Michele Leonhart's nomination to head the Drug Enforcement Administration. Kohl ended his opposition after receiving assurances from the Justice Department that it will draft legislation allowing nursing home patients to receive faster access to painkillers in emergency situations. Senate Majority Leader Harry Reid (D-Nev.) was hoping to confirm Leonhart and others before the Senate closed Wednesday night.

<http://bit.ly/dXIY0v>

Anti-abortion group enters RNC race: The Susan B. Anthony List announced it will launch an e-mail campaign to elect a like-minded Republican National Committee chairman. Current RNC Chairman Michael Steele upset anti-abortion groups last year when he called abortion "an individual choice."

<http://bit.ly/fILq7G>

SBA List claims victory: The group celebrated the defeat of an amendment to the defense authorization bill that would have allowed privately financed abortions to be performed on domestic and international military bases. "This is one more example of the increased muscle of the pro-life movement," said SBA List President Marjorie Dannenfelser.

Something fishy in Florida: The Office of Inspector General (OIG) came out with two new reports detailing questionable billing practices in Florida. The OIG **found** that per-beneficiary spending on outpatient therapy in Miami-Dade County was triple the national average in 2009. Another OIG report **found** that Medicare paid South Florida suppliers up to 10 times more for units of arformoterol than the drug's manufacturer.

New GAO report, Part 1: The Centers for Medicare and Medicaid Services (CMS) and Senate Finance Committee leaders are calling for new guidelines on Medicare quality-of-care reviews after a new Government Accountability Office report said that federal dollars may be going to waste. CMS is unable to determine if quality review budgets are excessive because the agency does not provide specific guidance on how much data should be recorded. <http://bit.ly/h3zMI5>

New GAO report, Part 2: Another report released Wednesday highlights differences in the oversight of long-term care hospitals, other types of hospitals and nursing homes. The report includes a slideshow used to brief congressional staff last month.

Hatch names health policy staffer: Sen. Orrin Hatch (R-Utah) announced Jay Khosla will serve as chief health counsel for the Finance Committee next year, when Hatch takes the ranking member spot. Khosla currently serves as Hatch's senior health counsel and legislative director, and he was Sen. John McCain's (R-Ariz.) senior health policy adviser during the 2008 presidential campaign.

Texas Medicaid growth: Fifty percent of Texas's budget will be devoted to Medicaid in 30 years, according to a new **report** prepared by the libertarian Cato Institute. Texas Gov. Rick Perry (R) sparked a firestorm last month when he suggested the healthcare reform law will force the state to end its Medicaid coverage for low-income people.

CBO's greatest hits: Due to what it described as popular demand, the CBO compiled a go-to [guide](#) for cost estimates on the reform law it provided over the past two years.

On the agenda for Thursday:

Last-minute Christmas shopping. Don't wait until the 24th.

Around the Web:

New Jersey Gov. Chris Christie, a rising GOP star rumored for the 2012 presidential race, sparred with Sen. Frank Lautenberg (D-N.J.) over the 9/11 health benefits bill, according to nj.com.

<http://bit.ly/e6FjOB>

States are trimming their Medicaid budgets with stimulus funding set to run out next year, Bloomberg reports. <http://bit.ly/grBHyu>

Blocking lawsuits against doctors in exchange for treating Medicaid patients would cost Florida at least \$69 million per year, the *Miami Herald* reports. <http://bit.ly/hIjokI>

Rhode Island was cited as a model for insurance rate reviews, the *Providence Journal* reports.

<http://bit.ly/fs5Xsg>

Massachusetts's top court rejected a hospital's lawsuit over Medicaid reimbursement rates, the *Boston Herald* reports. <http://bit.ly/fqJRDC>

Comments/complaints/suggestions?

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