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Federal Legislative Update

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Tax Extenders Bill: FMAP Extension and SGR Fix

Yesterday, the US Senate failed to garner the 60 votes necessary to end debate on the \$109 billion revised "tax extenders" package, the *American Workers, State and Business Relief Act of 2010* (HR 4213). The bill will now be pulled from the Senate floor.

The most recent Senate bill contained a scaled-down six-month extension of emergency federal Medicaid funding to states through June 2011. By gradually reducing the federal Medicaid assistance percentage (FMAP) from 3.2% in the first three months of 2011 to 1.2% from April to June, the "phase down" approach would have cut approximately \$8 billion over 10 years from the Senate bill's total cost. The House's companion tax extenders legislation passed last month did not include any enhanced FMAP. While there is the possibility that some components of the failed extenders package could be taken up as separate measures, at this time, it does not appear that FMAP will be included in current legislation advancing through either chamber.

Earlier this week, the House voted to pass a six-month, fully offset Sustainable Growth Rate (SGR) "fix" bill that the Senate extracted from HR 4213 and passed by unanimous voice vote as a separate, stand-alone measure last week. The six-month delay would reverse a more than 20 percent reduction in physician payment rates under Medicare and provide a 2.2 percent increase to the rates through Nov. 30, 2010. President Obama is expected to sign the measure into law.

Donald Berwick CMS Nomination

On June 16, the AAP, along with more than 130 children and family health advocacy groups, sent a letter to lawmakers urging them to swiftly confirm Donald Berwick, MD, FAAP, as the next Center for Medicare and Medicaid Services (CMS) administrator. President Obama nominated Dr. Berwick to lead CMS on April 19.

Health Reform Implementation: Patient's Bill of Rights

Earlier this week, the White House released health regulations under the new health reform law, the "[Patient's Bill of Rights](#)." One of the regulations prevents children under age 19 from being denied health insurance coverage because of a pre-existing health condition. On Tuesday, AAP President-Elect O. Marion Burton, MD, FAAP, attended a press event at the White House on the topic.