

July 16, 2010

## **Federal Legislative Update**

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### **AAP Department of Federal Affairs launches new Advocacy Web page**

The AAP Department of Federal Affairs has updated the technology behind its Member Center Web page, [federaladvocacy.aap.org](http://federaladvocacy.aap.org), with groundbreaking new tools and resources for AAP members. The new site includes personalized profiles for each AAP member, and contains contact and biographical information for federal legislators, targeted action requests for specific Congressional districts, and information on submitting timely child health opinion pieces to local media outlets. Visit [federaladvocacy.aap.org](http://federaladvocacy.aap.org) today and let us know what you think by e-mailing [kids1st@aap.org](mailto:kids1st@aap.org)!

### **Interim Final Rule Issued on Preventive Benefits: *Bright Futures* for All Children**

On Wednesday, the US Department of Health and Human Services (HHS) released an [Interim Final Rule](#) on preventive services covered under Section 2713 of the Affordable Care Act. This rule is a major victory for children and their families, and the Academy released a [press statement](#) in support of the rule yesterday.

The regulation requires that pediatric well-child visits—including a physical exam, immunizations, hearing and vision screening, developmental and behavioral screening, and anticipatory guidance—in accordance with the *Bright Futures* periodicity schedule, must be covered by insurers without co-payments and deductibles. Insurers may not exclude any of these services from coverage, and cost-sharing cannot be imposed on families. The rule becomes effective on Sept. 23, 2010, and will eventually apply to all private health insurance plans.

### **HITECH Act Implementation: Final Rule Issued on Meaningful Use of EHRs**

On Tuesday, the US Department of Health and Human Services (HHS) [released](#) its 864-page [Final Rule](#) on Meaningful Use of Electronic Health Records (EHRs), along with an additional rule dealing with certification of EHRs. HHS officials explained the changes to AAP leadership in a small meeting prior to the announcement.

Please visit the [AAP Member Center](#) for a summary of the changes in the Final Rule. The AAP will provide pediatricians with local, state and federal resources to help them implement EHR systems consistent with the rule.

## **Child Nutrition Reauthorization Legislation Passes out of House Committee**

On Thursday, the US House of Representatives Committee on Education and Labor passed HR 5504, the *Improving Nutrition for America's Children Act*. Although the bill was passed yesterday, it will not be ready for consideration by the full House until it is fully paid for. US representatives are currently working to identify funds for \$7 billion of the approximately \$8 billion required to pay for the legislation over 10 years. On Tuesday, the AAP distributed an advocacy e-mail to Key Contacts whose US representatives are members of the Committee on Education and Labor, encouraging passage of HR 5504. [Sign up](#) to become a Key Contact and receive federal advocacy requests on legislative issues of importance to the Academy.

The US Senate Agriculture Committee recently passed similar legislation, the *Healthy, Hunger-Free Kids Act*, with funds to cover the full \$4.5 billion cost. Due to the busy legislative calendar, however, the full Senate has not yet taken up the bill.

Both chambers' bills would reauthorize vital federal child nutrition programs that provide meals to millions of children across the country every day. Both pieces of legislation also include many of the Academy's recommendations for the National School Lunch and Breakfast Programs, WIC, the Child and Adult Care Food Program and other important child nutrition programs. Both bills would also help combat the growing health crisis of childhood obesity in the United States by reducing the fat and calorie content of school meals and foods sold in school vending machines, and by requiring healthier meals in child care.

If these bills are not passed by the full House and Senate by Sept. 30, when the current programs expire, these important nutrition services will no longer be available to the children across the country who have come to depend on them for much-needed meals.

Visit [federaladvocacy.aap.org](http://federaladvocacy.aap.org) to take action on this issue. On the site, you will find speaking points and a template e-mail to send to your members of Congress encouraging prioritization of the bills that would renew and improve these vital programs.

## **Health Appropriations Legislation Progresses in House and Senate**

Yesterday, the House of Representatives Labor-HHS-Education Subcommittee approved its [FY 2011 draft spending bill](#), which would provide a total of \$738.7 billion for FY 2011. Of that amount, \$176.4 billion is discretionary funding. The bill is \$12.7 billion more than FY 2010, but \$1.5 billion less than President Obama's request.

The proposal provides \$76.7 billion for HHS, which is \$3.8 billion more than FY 2010 and \$270 million more than the president requested. Of particular interest to the AAP:

- National Institutes of Health (NIH) funding is consistent with the president's request (\$32.007 billion).
- Centers for Disease Control and Prevention (CDC) funding was increased by \$32 million to \$6.782 billion; the president had requested a cut in FY 2011.
- The Health Resources and Services Administration (HRSA) would receive \$7.616 billion under the proposal, which is a \$99 million increase but \$20 million less than the president's request.
- The Agency for Healthcare Research and Quality (AHRQ) would receive flat funding of \$397 million; the president had requested \$611 million.
- The Substance Abuse and Mental Health Services Administration (SAMHSA) would receive \$3.581 billion; \$19 million more than FY 2010 but \$99 million less than the president's request.

Additional details, including actual program line breakdowns and report language, are generally released during full committee mark-up. It is not yet clear when or if Labor-HHS will go to the full committee.

Also on Thursday, the Senate Appropriations Committee set its overall funding totals for FY 2011, cutting \$14 billion from the president's budget request.

The [Senate's allocations](#) are \$7 billion below the House's spending cap and \$10 billion below the cap that would be set by the FY 2011 budget resolution approved by the Senate Budget Committee.

The Senate Labor-HHS-Education bill will receive a total allocation of \$169.626 billion for its discretionary spending, \$985 million less than the president's request. It is suspected that the Senate's allocation includes funding for the Pell Grant shortfall, which may now approach \$6 billion. No date for a mark-up of its Labor-HHS bill has been set at this time.

Despite this week's progress, the AAP Department of Federal Affairs does not anticipate that Labor-HHS appropriations legislation will be finalized prior to the start of Federal Fiscal Year 2011 on Oct. 1, 2010.