

Senator Herb Kohl's Priorities for Health Reform

Chairman, Senate Special Committee on Aging

Lowering Health Care Costs

The Physician Payments Sunshine Act (S. 301) - This bill would require disclosure of gifts and payments given to doctors from the pharmaceutical, biologic, and medical device industries. The information will be registered in a national and publicly accessible online database. Companies failing to report will incur financial penalties. This bill has been included in the Senate Finance Committee and House of Representatives health reform packages.

The Independent Drug Education and Outreach Act (S. 767) - This bill would create a federal "academic detailing" program. Academic detailing programs send trained, pharmacists, nurses, and other health care professionals into physicians' offices with extensively researched, independent data about the benefits, hazards, costs, and comparative effectiveness of a range of treatments. An identical bill has been introduced in the House (H.R.1859). Senator Kohl is working with his cosponsors and the Obama Administration to use funds recently authorized for comparative effectiveness education for this purpose.

Preserve Access to Affordable Generics Act (S. 369) - This legislation would ban the practice of brand name drug manufacturers paying generic drug manufacturers to keep the generic competition off the market, as part of settlements of patent cases in which the generic challenges the brand name's patent. This practice delays entry of generic drug competition, and costs consumers and the federal government roughly \$3.5 billion a year in higher prescription drug costs. This bill has been included in the House health reform package.

Medicare Payment Improvement Act of 2009 (S.1249) - This legislation would reform the Medicare physician reimbursement so that it rewards health care providers based on a quality-to-cost ratio. Under this proposal, areas of the country that achieve higher quality-to-cost ratios will receive an increased reimbursement Medicare. This proposal would help address the problem of geographic variations and reward high-quality providers, such as those in Wisconsin. Senator Kohl is a cosponsor of this bill and recently spoke with Senator Baucus about the need to provisions that promote pay-for-value in the Finance Committee health reform package.

Ensuring Access

SeniorCare - SeniorCare is a successful state prescription assistance program that currently serves over 86,000 seniors in Wisconsin. Unfortunately, the program is set to expire on December 31, 2009. With the deadline quickly approaching, Senator Kohl is pursuing every effort to continue this important program. It is estimated that continuing SeniorCare will save the federal government roughly \$55 million over five years. Senator Kohl is working with Health & Human Services Secretary Kathleen Sebelius to ensure the approval of Governor Doyle's application to extend the program until December 31, 2012.

Retooling the Health Care Workforce for an Aging America Act (S. 245) - This bill aims to expand education and training opportunities in geriatrics and long-term care for licensed health professionals, direct care workers and family caregivers by amending the Public Health Service Act, the Workforce Investment Act, the Older Americans Act and the Social Security Act. Provisions from this bill have been included in the Senate HELP Committee health reform package.

Eliminating Fraud and Abuse

Medicare and Medicaid - Senator Kohl has developed proposals to improve and expand protections against fraud and abuse, in connection with both existing public health care programs and private plans that receive federal subsidy payments. Several provisions to reduce fraud and abuse championed by Senator Kohl have been included in the Senate Finance and HELP Committees health reform packages.

Accountability and Transparency in Medicare Marketing (S. 1883 in the 110th) - This legislation gives state insurance commissioners the ability to set standardized marketing and sales regulations, and regulate both agents and companies in the marketing and sales of Medicare Advantage and prescription drug plans. State insurance commissioners will have the ability to adequately serve and protect Medicare beneficiaries, along with CMS. This bill has been included in the House health reform package.

Long-Term Care

Nursing Home Transparency and Improvement Act (S. 647) - This bill would give consumers more information about individual nursing homes and their track record of care, give the government better tools for enforcing high quality standards, and encourage homes to improve on their own. This bill has been included in the Senate Finance Committee health reform package.

Patient Safety and Abuse Prevention Act (S. 631) - This bill would prevent those with violent or criminal histories from working with vulnerable elders in long-term care settings by creating a comprehensive nationwide system of background checks. The legislation would expand a highly successful three-year pilot program, spearheaded by Kohl and authorized under the 2003 Medicare Modernization Act. This bill has been included in the House health reform package.

Confidence in Long-Term Care Insurance Act of 2009 (S.1177) - This bill would strengthen consumer protections for long-term care insurance with respect to premium rate stability, market disclosures, and training and certification of agents. The legislation would make it easier for consumers to accurately compare policies from different insurance carriers, particularly with regard to what benefits are covered and whether the plan offers inflation protection. The bill would also require reciprocity across state partnership plans. Senator Kohl held a hearing on the issue in June and continues to push for inclusion of these proposals in the Senate health reform package.