



LEGISLATIVE UPDATE



AMERICAN PUBLIC HEALTH ASSOCIATION



APHA Legislative Update August 2009

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I. Health Reform Moves Forward But Misses August Deadline

Key House and Senate Committees and leadership continue to press forward on passing health reform legislation this year. However, initial plans for the House and Senate to hold floor votes on the legislation prior to Congress adjourning for the August recess have fallen by the wayside. Instead, both bodies will attempt to bring the bills up upon their return in September.

In the Senate, the Senate Finance Committee has yet to introduce an official proposal. Senate Finance Committee Chairman Max Baucus (D-Mont.) has been meeting regularly with a bipartisan group of committee members including Senators Olympia Snow (R-Maine), Michael Enzi (R-Wyo.), Charles Grassley (R-Iowa), Kent Conrad (D-N.D.), and Jeff Bingaman (D-N.M.) to try to hammer out a bipartisan agreement for the Committee to consider. Baucus has recently floated the idea of a September 15 deadline for reaching a deal, though at least one member of the core group, Michael Enzi, has rejected a call for a deadline.

In mid July, the other Senate Committee with jurisdiction over health reform legislation, the Senate Health, Education, Labor and Pensions Committee, passed the Affordable Health Choices Act (http://help.senate.gov/Maj_press/2009_07_15_b.pdf) by a party-line vote of 13-10. The legislation is strongly supported by APHA. The legislation contains many strong public health provisions supported by APHA's 2009 Agenda for Health Reform which you can view at: <http://www.apha.org/NR/rdonlyres/681AD0D2-7DD0-48DD-8D59-E425E271156D/0/HlthReform09C6.pdf>. Specifically, the legislation would:

- o Develop a national prevention, health promotion, and public health strategy that would set specific measurable goals and objectives for improving the health of the U.S. through federally-supported prevention, health promotion, and public health programs.
- o Expand the work and coordination of the Community Preventive Services Task Force and the U.S. Preventive Services Taskforce to improve effective community-based and clinical prevention services and to improve dissemination of recommendations about effective

interventions to public health departments, practitioners, policymakers, health systems and others.

- Establish a program at the Centers for Disease Control and Prevention to facilitate the use of health impact assessments to gauge the public health implications of major decisions regarding the built environment, including housing, transportation systems, waste disposal sites and other land-use planning decisions.
- Create a Prevention and Public Health Investment Fund that would provide significant additional sustainable funding, reaching \$10 billion by 2019, to expand critical public health and prevention programs that improve health and help to control private and public sector health-related costs.
- Establish a variety of programs to improve the supply, distribution, diversity and cultural competence of the public health and primary care workforce, including creating a public health workforce loan repayment program to eliminate critical public health workforce shortages and a grant program to provide training and continuing education for mid-career public health professionals.
- Establish a grant program for state and local governmental and community-based organizations to implement evidence-based community preventive health activities to reduced chronic disease rates, address health disparities (including social determinants of health), and develop a stronger evidence-base of effective prevention programs and interventions.
- Require insurers to provide first dollar coverage for highly rated, evidence-based preventive health services.
- Collect data and conduct research on the health and healthcare of populations that have traditionally experienced health disparities and prioritize reducing health disparities in efforts to improve the quality and effectiveness of health services.

In the House of Representatives, the House Energy and Commerce Committee struggled, but succeeded in passing its portion of the health reform bill jointly introduced along with the House Ways and Means and Education and Labor Committees. The Energy and Commerce Committee approved the bill by a vote of 31-28. In order to pass the bill, Committee Chairman Henry Waxman (D-Calif.) negotiated changes to the bill with members of the conservative Democratic Blue Dog Coalition. Specifically, the changes would require the so-called “public plan” to negotiate payment rates with doctors and hospitals instead of using existing Medicare rates (to see APHA’s view of what the public plan option should entail visit our website at:

[http://www.apha.org/NR/rdonlyres/3A49D2D7-DFA6-407B-B177-](http://www.apha.org/NR/rdonlyres/3A49D2D7-DFA6-407B-B177-5F1D8AD31255/0/PublicPlanoption.pdf)

[5F1D8AD31255/0/PublicPlanoption.pdf](http://www.apha.org/NR/rdonlyres/3A49D2D7-DFA6-407B-B177-5F1D8AD31255/0/PublicPlanoption.pdf)), exempt small businesses with incomes less than \$500,000 from the payroll tax if they do not provide health insurance to their employees, and cut \$100 billion from the total cost of the bill by making insurance subsidies available to families and individuals only after they spend 12 percent of their incomes on premiums, up from 11 percent in the existing bill. All of the committee’s Republicans opposed the measure, and they were joined by five Democrats, mostly members of the moderate Blue Dog Coalition who say the bill would not do enough to contain the growth of health costs. The House Ways and Means and Education and Labor Committees marked up their portions of the legislation earlier in July.

Key prevention and wellness provisions in the House bill supported by APHA’s 2009 Agenda for Health Reform include proposals to:

- Develop a national prevention and wellness strategy that would set specific measurable goals and objectives for improving the health of the U.S. through federally-supported prevention, health promotion, and public health programs.
- Expand the work and coordination of the Community Preventive Services Task Force and the U.S. Preventive Services Taskforce to improve effective community-based and clinical prevention services and to improve dissemination of recommendations about effective interventions to public health departments, practitioners, policymakers, health systems and others.
- Require Medicare, Medicaid and private insurers to provide first dollar coverage for highly rated, evidence-based preventive health services.
- Establish a Public Health Investment Fund that strengthens the investment in community health centers, the public health workforce, and also funds a Prevention and Wellness Trust to fund community-based prevention and wellness services, core public health infrastructure and activities at the state and local levels, and core public health infrastructure and activities at the Centers for Disease Control and Prevention.
- Require an annual report containing a description of national, regional, or state changes in health or health care, as reflected by a set of key health indicators developed by the newly created Assistant Secretary for Health Information.
- Collect data on the health and health care of populations that have traditionally experienced health disparities and prioritize reducing health disparities in the prevention and wellness strategy and community services grants.
- Improve data collection on health workforce needs and increase the supply, distribution, diversity and cultural competence of the public health and primary care workforce, including establishing and supporting the training of a Public Health Workforce Corps, supporting graduate medical education in preventive medicine and primary care, expanding the National Health Service Corps, and increasing funding for health professions diversity programs.
- Create a new public insurance option that provides consumers with a competitive alternative to private insurance coverage offered through the Health Insurance Exchange.

APHA will continue to monitor the progress of the legislation and advocate to have the recommendations of its 2009 Agenda for Health Reform included in the legislation that moves through Congress this year. You can view the agenda at: <http://www.apha.org/NR/rdonlyres/681AD0D2-7DD0-48DD-8D59-E425E271156D/0/HlthReform09C6.pdf>. You can send a message to your members of Congress urging them to pass comprehensive health reform legislation this year by visiting the APHA's Advocacy site at: <https://secure3.convio.net/apha/site/Advocacy?cmd=display&page=UserAction&id=165>. For additional resources, visit APHA's Healthiest Nation in One Generation website at: <http://www.apha.org/advocacy/healthiestnation/>.

II. House and Senate Move Health Spending Bills

The House of Representatives passed the Labor-HHS-Education Appropriations bill by a vote of 264-153. The measure provides a program level of \$6.68 billion for the Centers for Disease Control and Prevention (CDC). Without taking stimulus funds into account, the measure provides \$67 million more than regular FY 2009 appropriations. The Senate bill, which has yet to be considered by the full Senate, provides a level of \$6.73 billion.

The Health Resources and Service Administration (HRSA) was funded at \$7.4 billion \$71.3 million over FY2009 and \$179 million over the president's request in the House bill and the Senate Appropriations Committee would provide \$7.263 billion.

APHA will continue to work with its partners to try to ensure the highest funding level for CDC and HRSA in the final bill that will be negotiated later this summer into early fall.

III. Participate in APHA's PHACT Campaign!

This summer, APHA is mobilizing its members, affiliates and other advocates to educate policymakers about the need to include strong public health and prevention provisions in health reform legislation. The August Congressional recess is a great opportunity to meet with your Senators and Representative in their state offices, participate in town hall meetings in your community and engage in other forms of grassroots advocacy.

Download the APHA Health Reform Advocacy Toolkit at:

<http://www.apha.org/NR/rdonlyres/94F2DF82-8253-463F-A36A-7CD4B92B9093/0/HealthReformAdvocacyToolkit.pdf> for tips and resources on a variety of advocacy strategies to make public health a priority in health reform. Prepare a "Public Health and Health Reform" fact sheet to show the major public health challenges and strengths in your state, and how building a strong public health foundation is critical to the success of health system reform. Find these resources and more by visiting the PHACT Campaign website at: <http://www.apha.org/advocacy/tips/PHACT+Campaign.htm>.

IV. HHS Secretary Sebelius to Host Webcast on Health Reform

Health and Human Services (HHS) Secretary Kathleen Sebelius will host a webcast to discuss current efforts to reform the nation's health system on Friday, August 7 at 1:00 PM EDT. The webcast will feature top HHS officials who will discuss how health reform will improve the quality of care for all Americans and take questions.

HHS officials participating in the webcast include:

Dr. David Blumenthal, National Coordinator for Health Information Technology. Dr. Blumenthal will discuss how health information technology can reduce medical errors and improve the quality of care for all Americans.

Dr. Howard Koh, Assistant Secretary for Health. Dr. Koh will outline how prevention and wellness initiatives can help all Americans live longer, healthier lives.

Dr. Mary Wakefield, R.N., Administrator of the Health Resources and Services Administration. Dr. Wakefield will outline the current shortage of health providers and discuss how reform will help ensure all Americans have access to the care they need.

The participants will answer questions submitted by the American people. Questions can be emailed to hhsstudio@hhs.gov. Questions can also be submitted via Twitter by using the hashtag #HCRQ.

WHAT: Webcast: Health Insurance Reform - What's in it For You?

WHEN: Friday, August 7, 2009 at 1:00 PM EDT

WHERE: www.healthreform.gov

V. House of Representatives Passes Food Safety Reform

On July 30, the House of Representatives passed the Food Safety Enhancement Act of 2009 (H.R. 2749) to reform our nation's food safety system by a vote of 283-142. The legislation would require a number of changes aimed at improving the safety of the nation's food supply including:

- Requiring all facilities that all facilities within the U.S. or those that import food into the U.S. register with the FDA each year;
- Requiring all facilities within the U.S. or importing food into the U.S. to implement food safety plans (meeting at least minimum FDA requirements) which would be subject to FDA audit;
- Increasing FDA inspection of food facilities at both high and low risk facilities as well as at warehouses;
- Improving FDA's ability to trace the origins of contaminated food in the event of an outbreak of foodborne illness;
- Allowing FDA to require stricter food safety requirements on foods imported into the U.S.; and
- Allowing FDA to issue mandatory recalls of contaminated food and strengthens criminal penalties and establishes civil penalties that may be imposed on facilities that fail to meet safety requirements.

APHA has been supportive of efforts in the House to address food safety. However, APHA is still urging Congress to include in any final bill critical provisions to build state and local capacity for foodborne illness detection, surveillance, laboratories and response through grants and training; enhance CDC's food surveillance, investigation and laboratory capacity; and improve coordination across the federal government, state and local governments and private institutions. These provisions are currently in the Senate bill, the FDA Food Safety Modernization Act (S. 510). You can read APHA's letter of support at: <http://www.apha.org/NR/rdonlyres/8B5E4F86-23FB-4BB1-85FF-03A27DD619A4/0/FoodSafety2.pdf>.

VI. U.S. Signs UN Convention on the Rights of Persons with Disabilities

On June 30, U.S. Ambassador to the United Nations (UN), Susan Rice, signed the UN Convention on the Rights of Persons with Disabilities, the first human rights treaty of the 21st century. In addition, the administration will create a new senior-level position at the U.S. Department of State to promote the rights of persons with disabilities internationally.

The convention adopts a broad categorization of persons with disabilities and reaffirms that all persons with disabilities must have full and equal enjoyment of all human rights and fundamental freedoms. It also shows how all categories of rights apply to persons with disabilities and how adaptations can be made to ensure that persons with disabilities can effectively exercise their rights. The president must now submit the treaty to the Senate where it must be approved by a two-thirds majority before ratification. Thus far, the convention has been signed by 141 other nations and ratified by 63.

You can read APHA's letter in support of signing and ratifying the convention at: <http://www.apha.org/NR/rdonlyres/E1515259-27CF-4359-ABC4-D57A9E4711E7/0/APHAonConventionontheRightsofPersonswDisabilities.pdf>.

For more information about the Convention on the Rights of Persons with Disabilities, visit <http://www.un.org/disabilities/>. For information about federal programs for people with disabilities, visit www.disability.gov.

VII. POLICY WATCH: News on relevant state and local activities

Oregon Passes Bill to Provide HPV Vaccines to Girls. In June, the Oregon State Legislature passed H.B. 2794, mandating that all health benefit plans must include coverage of human papillomavirus vaccines for females age 11 and older. Although easily preventable, cervical cancer, which is almost always caused by HPV, is considered the second deadliest cancer for women

worldwide. The HPV vaccine has proven a strong defense against HPV; however it is most effective when administered to girls before they become sexually active.

Missouri Creates Alzheimer's Task Force. Missouri Governor Jay Nixon (R) recently signed H.B. 272, the Alzheimer's State Plan Task Force, into law. This law creates a subsection within the Department of Health and Senior Services to specifically focus on the impact of Alzheimer's and related dementia on Missouri residents.

APHA has a new online platform for our legislative alerts. Please visit <http://action.apha.org/site/PageNavigator/Advocacy> to send a letter to your Congressional representatives urging their support for the APHA Agenda for Health Reform, adequately fund public health agencies and support public health in climate change legislation. Help APHA influence lawmakers to make public health a priority this year.

Please [email us](#) any relevant stories from your community or state to be included in future editions of policy watch.

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