March 23, 2010

A Message from ACOG President Gerald F. Joseph, Jr., MD

Health Reform Becomes Law: Our Job Isn’t Over!

It was amazing political theater Sunday in the U.S. House of Representatives, with Democrats and Republicans squared off over health reform. Ultimately, of course, the House passed the Senate health reform bill with 3 votes more than the 216 majority, and passed the reconciliation fix-it bill shortly after. President Obama signed the Senate bill today. Action on the reconciliation bill now moves to the Senate, which has to pass the bill before the President can sign it into law.

The Senate bill has many good provisions that ACOG worked hard for, provisions that will help our patients in many ways: Guaranteed maternity coverage; no pre-existing conditions excluding women from coverage because they’re pregnant, or have had a prior c-section, or have been the victim of domestic violence; protecting ob-gyn ultrasound from reimbursement or coverage cuts; ensuring direct access for women to ob-gyns; Medicaid coverage for tobacco cessation counseling and pharmacotherapy to pregnant women; and State options to expand family planning services for low-income women.

Of course, the bill also has many provisions that ACOG strongly opposed, including no meaningful medical liability reform, no SGR repeal, establishment of an Independent Medicare Advisory Board whose recommendations on controlling cost growth and care delivery could become law without congressional action; mandatory participation in a still flawed PQRI program with penalties for non-participation; and Medicare payment increases to primary care physicians and rural general surgeons, at the expense of ob-gyns and other physicians. You can read my full letter to House Speaker Nancy Pelosi outlining what we support and what we oppose here. Once the bills are signed by the President, I’ll send you another message detailing the final outcome.

So our job now is to embrace the positive aspects of this new law and to work hard with our surgical colleagues and the House of Medicine to change, maybe even repeal, the bad parts of this bill. And absolutely to never stop until SGR repeal and real medical liability reform are signed into law!

Thank you to so many of you who worked hard, gave your time, money, and leadership to making sure we won maternity coverage, protected ob-gyn ultrasound, and challenged Congress on SGR repeal and MLR. Working together, we made a difference. Working together, we’ll do even more.
Senate Now Considers Fix-It Bill

ACOG Celebrates our Reforms in the Bill; Vows to Keep Fighting for SGR, MLR Reform

On Sunday, March 21, the House of Representatives passed the Senate health reform bill, H.R. 3590, by a vote of 219 to 212. President Obama signed the bill into law today.

The bill extends health insurance coverage to 32 million Americans, enacts major insurance reforms, and attempts to rein in health care costs. You can read a summary of the Senate bill provisions here, and our comparison of the bill with earlier reform proposals here.

The final House majority was three votes over the number needed to pass the Senate bill, and there were five fewer Democrats voting NO than when the House passed its own reform bill last November. Still, the final vote reflected the stark divide in Congress: all House Republicans and 34 House Democrats voted against the bill. Check here to see how your Representative voted.

The winning majority was only possible after Democratic leaders reached a compromise with abortion opponents including Rep. Bart Stupak (D-MI), who wanted tough restrictions on abortion funding. President Obama agreed to issue an Executive Order clarifying that the legislation would not change current federal policy on abortion coverage, which denies public funding for abortions except in cases of rape, incest, or the life of the mother.

Vote Tied to Reconciliation Promise

House Democrats conditioned their vote for the Senate bill on promises that a package of changes to that bill could be made through a fix-it reconciliation bill, which requires only a 51-vote majority in the Senate. The House passed the reconciliation bill, 220 to 211, sending it to the Senate, where it faces an uncertain fate, even as Senate Majority Leader Harry Reid (D-NV) announced he had 52 votes in favor of the bill. Reid said the Senate would begin action on the bill today.
What the Senate Bill Does

H.R. 3590 devotes $875 billion over the next 10 years to expand insurance coverage. Major changes will occur in 2014, but several changes would begin this year. Read this timeline on when key provisions begin and click here to see the changes going into effect this year, including:

- Small business tax credit;
- Free preventive care under Medicare;
- Free preventive care under new private plans, with no co-pays or deductibles;
- Prohibiting insurance companies from cancelling policies of people who get sick;
- No discrimination against children with pre-existing conditions;
- Extension of children’s coverage under parents’ plans until age 26;
- Bans on lifetime coverage limits and restrictive annual limits;
- Interim coverage in high-risk pool for those with pre-existing conditions, until a Health Exchange is available; and
- Investment begins to allow doubling the number of Community Health Center patients over the next five years.

After the Senate passes the reconciliation bill, ACOG’s Legislative News will carry a detailed description of the bills.

The Impact on Ob-Gyns?

Beginning this year, women’s health physicians are likely to see an upsurge in the number of patients entering the health care system. Not only does the bill extend coverage to 95% of all Americans, but it specifically increases the number of reproductive age patients, through expansions of Medicaid and increased family planning services for low-income women under new state options, and the extension of child coverage through parents’ insurance to age 26.

Insurance reforms strongly pushed by ACOG, to end gender bias in insurance coverage, will give more women access to reproductive health care. Maternity coverage would be guaranteed through most plans, but not in catastrophic-only plans for young women under age 30. Women could not be excluded from coverage for pre-existing conditions including prior Cesarean delivery and domestic violence. Plans could not require a “gatekeeper” visit before access to an ob-gyn. Women under age 50 could not be denied coverage for mammography and other screening, and the law would exempt ob-gyn ultrasound from imaging reimbursement restrictions.

At the same time, physicians would not be required to participate in Medicaid, Medicare, or the insurance plans subsidized by the legislation. Participation would remain up to the individual physician.
Where ACOG Stands on Health Care Reform

ACOG President Gerald F. Joseph Jr., MD, best expresses ACOG’s position on health care reform, in this detailed letter to House leaders on the Senate and reconciliation bills:

“ACOG has a long and strong history of supporting health reform. As ob-gyns, we see first-hand the devastating effect a lack of insurance or underinsurance can have on our patients. ACOG is privileged to have worked with you and many Members of the House in this effort, including Representative Schakowsky who introduced H.Con.Res. 48 [ACOG’s women’s health legislation], which set the marker for women’s health in health reform.”

Dr. Joseph thanked House Leaders for the many provisions ACOG not only supported in the bill, but helped bring about, including maternity care coverage, medical home demonstration projects that recognize ob-gyns as principal care physicians for women, support services for women with postpartum depression, and much more.

At the same time, Dr. Joseph said, “These important changes to our health care system will only work if coupled with meaningful medical liability reform and a permanent repeal of the Sustainable Growth Rate (SGR) formula, replaced with a sensible and reliable method of Medicare physician payment.” Read more in the letter on other provisions of concern to ACOG, including inadequate Medicaid reimbursement, the Independent Medicare Advisory Board, mandatory participation in a still flawed PQRI program, and professional lay midwives.

What Lies Ahead

ACOG will continue to push hard for needed changes in the months and years ahead. ACOG is committed, Dr. Joseph said, to seeing “comprehensive and meaningful health care reform enacted.”