

America's Healthy Future Act

The Senate Finance Committee Chairman Max Baucus (D-MT) issued the *America's Healthy Future Act* on September 16, 2009 (modified September 22, 2009),¹ the third major proposed bill to emerge under President Obama's healthcare reform initiative.² During his delivery of the 2010 Budget Overview back on February 26, 2009, the President delineated eight contingencies that should serve as the foundational guidelines for Congress' final healthcare reform package:

1. Protect Families' Financial Health;
2. Make Health Coverage Affordable;
3. Aim for Universality;
4. Provide Portability of Coverage;
5. Guarantee Choice;
6. Invest in Prevention and Wellness;
7. Improve Patient Safety and Quality; and
8. Maintain Long Term Fiscal Sustainability.³

Sen. Baucus believes that the new bill will enhance the efficiency, quality, and organization of the healthcare delivery system without adding to the federal deficit.⁴ Additionally, the *America's Healthy Future Act of 2009* will make affordable healthcare coverage available to everyone while allowing Americans to maintain their current coverage if they would prefer to do so.⁵ According to Sen. Baucus, "[t]he Finance Committee has carefully worked through the details of health care reform to ensure this package works for patients, for health care providers, and for our economy. We worked to build a balanced, common-sense package that ensures quality, affordable coverage and doesn't add a dime to the deficit."⁶

The proposed provisions of the \$856 billion reform package are aimed at: (1) ensuring reasonable, reliable coverage for all Americans; (2) reforming the healthcare delivery system to improve the quality, efficiency, and affordability of care; and (3) encouraging preventative healthcare and wellness.⁷ Among Baucus's September 22, 2009 modifications to the Chairman's Mark were increased efforts to provide affordable care to low and middle income families and to reduce penalties for those who fail to get the required health insurance.⁸ While Baucus declined to propose a public plan option in an effort to gain bipartisan support, his attempt has seemingly fallen flat.⁹ The Senate Finance Committee began markup on September 22, 2009,¹⁰ and recessed on

Friday, September 25, 2009.¹¹ The committee reconvened yesterday, September 29, 2009.¹²

The inclusion of a public option has sparked controversy not only between Democrats and Republicans, but also between liberal and moderate Democrats.¹³ The Senate Finance Committee also met yesterday to debate two public option plans proposed as an alternative to Baucus' plan by Senators Rockefeller (D-WV) and Schumer (D-NY).¹⁴ Rockefeller's proposed, "Community Choice Health Plan" was rejected after a 15 to 8 vote (including five Democrats and 10 Republicans voting against the plan).¹⁵ Additionally, Schumer's variation of a public plan option was defeated in a 13 to 10 vote (including three Democrats and 10 Republicans voting against the plan).¹⁶ Nonetheless, Schumer declares that he plans to continue fighting for a public plan option, stating, "We are going to keep at this and at this and at this until we succeed, because we believe in it so strongly."¹⁷

Affordable Health Choices Act

On June 9, 2009, the Senate Health, Education, Labor, and Pensions (HELP) Committee issued the first highlighted healthcare reform plan, the *Affordable Health Choices Act*, which is expected to merge with the Senate Finance Committee's newly released bill.¹⁸ The Senate HELP bill includes an *Affordable Health Benefit Gateway*, which mandates a health insurance exchange that is managed by the states.¹⁹ As outlined by the bill's "shared responsibility" section, individuals would be required to obtain healthcare coverage (with some exceptions), and employers with greater than 25 employees are responsible for contributing to, at minimum, 60 percent of the premium cost.²⁰ Individuals and employers that violate these provisions would be subject to a minimum penalty of \$750 per person annually.²¹ Additionally, the Senate HELP Bill emphasizes prevention and wellness efforts, prohibits insurers from denying coverage on the basis of preexisting conditions, and promotes higher quality of care through policies and financial incentives.²²

America's Affordable Health Choices Act

The *America's Affordable Health Choices Act* (H.R. 3200), issued July 14, 2009, was introduced by the House Tri-Committee, comprised of the Education and Labor, Ways and Means, and Energy and Commerce

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committees in the House of Representatives.²³ Though not as focused on prevention and wellness as the Senate HELP Bill, H.R. 3200 proposes: broadened access to health insurance; standardized health benefits; provisions to stunt premium increases and coverage denial on the basis of pre-existing conditions; elimination of co-pays for preventative care services; incorporation of “Affordability credits,” caps on out of pocket expenses; an employer mandate; provision of guaranteed coverage in the circumstance of a medical catastrophe; and the implementation of a Health Insurance Exchange that affords consumers whose income is less than 400 percent of the poverty level the choice of either private coverage or coverage under the new public plan.²⁴

Representatives Anthony Weiner (D-NY) and Bruce Braley (D-IA) had sought to include an amendment to H.R. 3200 on physician self-referral, excluding “[c]ertain advanced diagnostic imaging services” from the “in office ancillary services exemption” to the Stark Law.²⁵ However, this amendment remains outstanding, as it was not presented at the mark-up session on July 31, 2009.²⁶ At present, it is uncertain if the amendment will be presented when the U.S. House Energy and Commerce Committee reconvenes.²⁷

1 Source: Baucus Modifies Chairman’s Mark to Improve Health Care Affordability, Maintain Deficit Reductions, Committee on Finance News Release, Sept. 22, 2009, <http://finance.senate.gov/press/Bpress/2009press/prb092209c.pdf> (accessed Sept. 27, 2009).

2 Source: “America’s Affordable Health Choices Act,” 111th Congress House of Representatives, H.R. 3200, July 14, 2009; “Focus on Health Reform: Side-by-Side Comparison of Major Healthcare Reform Proposals,” by the Henry Kaiser Family Foundation, July 24, 2009 (accessed on 07/24/2009).

3 Source: “Jumpstarting the Economy and Investing for the Future” in “A New Era of Responsibility: Renewing America’s Promise,” by the Office of Management and Budget, February 26, 2009, p. 27.

4 Source: “Chairman’s Mark: America’s Healthy Future Act of 2009,” by Chairman Max Baucus of the Senate Committee on Finance, September 16, 2009, http://finance.senate.gov/sitepages/leg/LEG%202009/091609%20Americas_Healthy_Future_Act.pdf (accessed on 09/16/2009).

5 Source: “Chairman’s Mark: America’s Healthy Future Act of 2009,” by Chairman Max Baucus of the Senate Committee on Finance, September 16, 2009, http://finance.senate.gov/sitepages/leg/LEG%202009/091609%20Americas_Healthy_Future_Act.pdf (accessed on 09/16/2009).

6 Source: “Baucus Introduces Landmark Plan to Lower Health Care Costs, Provide Quality, Affordable Coverage,” by the Senate

Finance Committee, September 16, 2009, <http://finance.senate.gov/press/Bpress/2009press/prb091609.pdf> (accessed on 09/16/2009).

7 Source: “Chairman’s Mark: America’s Healthy Future Act of 2009,” by Chairman Max Baucus of the Senate Committee on Finance, September 16, 2009, http://finance.senate.gov/sitepages/leg/LEG%202009/091609%20Americas_Healthy_Future_Act.pdf (accessed on 09/16/2009).

8 Source: “Baucus Modifies Chairman’s Mark to Improve Health Care Affordability, Maintain Deficit Reductions,” Committee on Finance News Release, Sept. 22, 2009, <http://finance.senate.gov/press/Bpress/2009press/prb092209c.pdf> (accessed Sept. 27, 2009).

9 Source: “Senate Finance Committee Rejects Public Option Proposal in Health Care Bill,” By Jonathan Karl & Byron Wolf, ABC News, Sept. 29, 2009, <http://abcnews.go.com/Politics/HealthCare/max-baucus-releases-856-billion-health-care-proposal/story?id=8589359> (accessed Sept. 29, 2009).

10 Source: “Chairman’s Mark: America’s Healthy Future Act of 2009,” by Chairman Max Baucus of the Senate Committee on Finance, September 16, 2009, http://finance.senate.gov/sitepages/leg/LEG%202009/091609%20Americas_Healthy_Future_Act.pdf (accessed on 09/16/2009).

11 Source: “Baucus statement on Mark Up Progress,” By Scott Mulhauser and Erin Shields for Finance Committee Chairman Max Baucus (D-MT), Sept. 25, 2009, <http://finance.senate.gov/press/Bpress/2009press/prb092509.pdf> (accessed Sept. 28, 2009).

12 Source: “Baucus statement on Mark Up Progress,” By Scott Mulhauser and Erin Shields for Finance Committee Chairman Max Baucus (D-MT), Sept. 25, 2009, <http://finance.senate.gov/press/Bpress/2009press/prb092509.pdf> (accessed Sept. 28, 2009).

13 Source: “Senate Finance Committee Rejects Public Option Proposal in Health Care Bill,” By Jonathan Karl & Byron Wolf, ABC News, Sept. 29, 2009, <http://abcnews.go.com/Politics/HealthCare/max-baucus-releases-856-billion-health-care-proposal/story?id=8589359> (accessed Sept. 29, 2009).

14 Source: “Senate Finance Committee Rejects Public Option Proposal in Health Care Bill,” By Jonathan Karl & Byron Wolf, ABC News, Sept. 29, 2009, <http://abcnews.go.com/Politics/HealthCare/max-baucus-releases-856-billion-health-care-proposal/story?id=8589359> (accessed Sept. 29, 2009).

15 Source: “Senate Panel Rejects Pair of Public Options in Health Plan,” By David M. Herszenhorn, The New York Times, Sept. 29, 2009, <http://www.nytimes.com/2009/09/30/health/policy/30health.html> (accessed Sept. 29, 2009).

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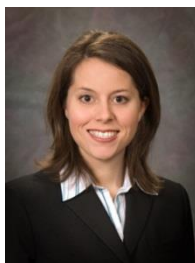
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