

**CQ Transcript**  
**March 10, 2008**

**PROMO:**

**MENTAL HEALTH PARITY:** House approves mental health parity legislation.

**MEDICARE:** Medicare Advantage insurers seek regulation from Congress.

**BUDGET:** House and Senate budget panels pass fiscal 2009 budget resolutions.

**INTRO:**

The House has approved legislation that would require that insurers offering mental health benefits make them equal in cost and scope to medical or surgical benefits. Medicare Advantage insurers have asked Congress to pass a set of new guidelines for marketing the plans, while House and Senate budget committees have approved budget resolutions for fiscal 2009 that deal with a variety of health care programs.

**MENTAL HEALTH PARITY**

Question 1: House lawmakers have approved legislation dealing with mental health parity. Could you recap that for us?

Answer: The measure, which was approved on a vote of 268 to 148, would require that health insurance plans offering mental health coverage make sure those benefits are equal in cost and scope to medical or surgical benefits in the policy. The measure would also require insurers to cover a broad variety of mental health conditions. Employers with fewer than 50 employees would be exempt from the bill's requirements, and the measure would not pre-empt tougher state parity laws.

Question 2: What's the next step for this bill?

Answer: A House-Senate conference would be the next step, but some senators, concerned about the broader scope of the House bill, have expressed doubt that the two chambers can resolve differences. The Senate's version, passed last September, is a narrower bill – for example, it does not require insurers to cover specific conditions. Another obstacle for the mental health parity bill is White House opposition. The Bush Administration does not like the broader scope of the House measure, and also dislikes that the House bill was amended to include provisions of genetics non-discrimination

legislation, which would prohibit employers or insurers from discriminating or making business decisions using data from genetic tests.

Question 3: Separately, a Senate committee has approved legislation dealing with mental health services to prisons. What would that bill do?

Answer: The measure, approved by the Senate Judiciary Committee, would reauthorize through 2013 a grant program created in 2004 to improve inmates' mental health treatment. The bill would also authorize new program grants to train law enforcement personnel to respond to incidents involving mental ill individuals, and the bill would require the Justice Department to report on the percentage of mentally ill offenders who are homeless and the rate of serious mental illness among those in custody or on parole.

## **MEDICARE**

Question 4: Medicare Advantage insurers, the private health plans offering coverage to Medicare beneficiaries, have asked Congress to approve new marketing guidelines for the plans. Could you tell us about that?

Answer: Health insurance industry officials met with members of Senate Finance Committee, asking them to enact a series of guidelines, such as a prohibition on door-to-door sales of the plans, on "cold-calling" to sell policies to seniors.

Question 5: Have the plans' marketing practices caused concern?

Answer: They have. Witnesses have testified before the Finance panel that some of the plans' marketing and sales practices pressure beneficiaries to enroll into plans that are inappropriate or unsuitable for them, and the witnesses said that sometimes beneficiaries do not understand that enrolling in Medicare Advantage plans mean that they no longer have access to traditional Medicare and Medigap plans.

Question 6: Will any of these marketing proposals be part of Medicare legislation this year?

Answer: Senate Finance Committee Chairman Max Baucus, D-Mont., said the panel would include marketing guidelines in Medicare legislation this year, and that abusive marketing tactics – whether they involve Medicare Advantage or Medicare prescription drug plans – must stop. In addition, legislation from Sen. Olympia J. Snowe, R-Maine, would also implement new rules aimed at preventing marketing abuses by Medicare Advantage insurers.

## **BUDGET**

Question 7: House and Senate budget committees have passed their respective versions of the budget resolution governing fiscal 2009 spending. How would those resolutions impact health care programs?

Answer: The measures would include more money for medical research, health care for veterans and other domestic programs. The House budget resolution would allow about \$22 billion more for discretionary spending than President Bush's fiscal 2009 budget plan, while the Senate budget resolution includes about \$18 billion more than the president requested. The House budget resolution also includes a \$50 billion increase in spending on the State Children's Health Insurance Program (SCHIP). Both resolutions include millions more for Medicare.

Question 8: How do the budget resolutions deal with entitlement spending?

Answer: They do not include proposals for reducing the long-term cost of entitlement spending on programs such as Medicare and Medicaid, which has brought some criticism from Republicans.

Question 9: What's the next step?

Answer: Both chambers will debate their respective measures, but a two-week spring recess to begin March 14 may delay final action on the legislation.