Washington Consult

What to Look for in the Second Half of the 109th Congress

By Susan Molinari

Former Members of Congress, such as myself, and other Washington observers take great pride in assessing the legislative landscape at the start of each Congressional session. This year, however, when it comes to forecasting the second session of this 109th Congress, everyone is hedging their bets.

I do know that there are several factors that will impact the scope and speed of the Congressional agenda. Providing funding for the continued War on Terror as well as dealing with the natural disasters that have hit the United States in 2005 are priorities that will clearly affect federal spending. In addition, 2006 is an election year, which historically would suggest that the Second Session of the 109th Congress would probably adjourn by early October, giving members of Congress less time to enact any comprehensive reforms. Further, during this election year, funding decisions will most likely be under a microscope and much energy in Congress is being devoted to identifying opportunities for savings, as opposed to opening the checkbook.

In addition, the pending switch-up of some of the majority party's leadership at the beginning of the year may change the political landscape of the House of Representatives. However, it is unclear what this previously unanticipated change may mean for the legislative agenda.

In turning specifically to the health care arena, this much is clear: Medicaid reform will continue to be a front-burner issue, with issues related to dual eligibility and drug pricing at the fore. In addition, the budget reconciliation package that the Congress approved at the end of 2005 calls for a one-year freeze on the sustainable growth rate (SGR), which keeps the SGR at 2005 levels. The status of the SGR affects funds available for Congressional spending for physician reimbursement. This 1-year freeze was implemented to buy

time in order for Congress to properly tackle the SGR issue. Since the provision is due to expire at the end of 2006, Congress will have to move quickly to come to some resolution on this issue.

Further, Congress will be examining the data collected by the Centers for Medicare & Medicaid Services through its 2006 Oncology Demonstration Project. The House Ways and Means committee in particular is interested in the data that are to be collected from the inspector general to formulate future reimbursement levels.

The legislative priorities of the American Society of Clinical Oncology are to ensure that Congress moves forward initiatives that improve access to quality care. ASCO will continue to advocate on issues such as pay-for-performance, ensuring that resources are put toward life saving and other critical services. Furthermore, ASCO will continue to evaluate the impact of the new reimbursement structure.

To many, it may appear at times that making legislative progress in Congress is a painstaking progress with many twists and turns. If it appears that way, that's because that is how it really is—there is no straight line, and rarely does the desired prescriptive measure occur exactly as preferred either in terms of bill language or the timeline. However, from what I have learned from those I know on Capitol Hill, ASCO members have been working tirelessly, and successfully, to communicate your concerns to Congress and the administration. Your efforts have resulted in some major, tangible legislative and regulatory victories.

Again, this particular session is one in which everyone is still beginning to study and sort out the likely scenarios for agreements in all manner of issues, not the least of which is health care. My staff and I will continue to work on your behalf to ensure that ASCO always has the most timely, relevant, and useful information as we work together to achieve the organization's legislative goals in 2006.

Susan Molinari is a former member of Congress (R-NY) who represents ASCO on Capitol Hill, and chairman and CEO of The Washington Group. Visit her online at <http://thewashingtongroup.com>.