## King & Spalding

## Health Headlines

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## **IPAB Repeal Legislation Working its Way Through Congress**

The House Ways and Means Committee and the House Energy and Commerce Committee have voted in favor of a bill (H.R. 452) that would repeal the Independent Payment Advisory Board (IPAB), created under section 3403 of the Affordable Care Act, as amended. The Congressional Budget Office (CBO), in a report released March 7, 2012, estimates that repealing IPAB would increase spending by \$3.1 billion over the next ten years. The full House is expected to vote on the bill, which has 235 sponsors and cosponsors (more than enough to ensure passage), later this month.

The IPAB is a 15 member Board, appointed by the President and approved by the Senate, charged with developing recommendations to curb the per capita growth rate in Medicare spending in any year, beginning with 2014, in which the projected growth rate exceeds target levels. CMS would be required to implement IPAB proposals unless Congress were to enact legislation that achieved the same savings target.

Critics argue that IPAB lacks accountability, and would be able to implement controversial Medicare policies that would be difficult for Congress to overturn. Sebelius has defended IPAB as an important "backstop to help ensure Medicare remains solvent for future generations." A recent report issued by the Center for American Progress, available by clicking **here**, calls IPAB "essential to reducing health care costs while improving quality of care."

The CBO report is available by clicking here. The text of H.R. 452 is available by clicking here.

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