

The Seniors' Choice Act

Medicare Consumers' Protection Agency vs. Independent Payment Advisory Board

Context: The new health care law empowered a board of unelected bureaucrats to “reduce the per capita rate of growth in Medicare spending.”¹ While the Independent Payment Advisory Board (IPAB) threatens seniors’ access to care, the Medicare Consumers’ Protection Agency puts seniors first.

Policy Provision	Seniors' Choice Act's MCPA	Obamacare's IPAB
Mission	<p>The Medicare Consumers’ Protection Agency’s (MCPA) mission is to oversee the competitive bidding beginning in 2016. MCPA is modeled after the Office of Personnel Management’s (OPM) oversight of the Federal Employees’ Health Benefit Program, which is the program that provides health benefits to Members of Congress and federal employees.</p> <p>MCPA has no authority to make Medicare cuts. MCPA has no control over Medicare cost-growth or spending.</p>	<p>The new health care law empowered a board of 15 unelected bureaucrats to “reduce the per capita rate of growth in Medicare spending,” or in other words, cutting Medicare payments. If the Board fails to develop the Medicare spending cuts, the IPAB’s mission will fall to the Secretary for Health and Human Services.</p> <p>IPAB is specifically prohibited from suggesting common-sense changes to Medicare, like adjusting beneficiary premiums, so the Board will effectively just cut reimbursements to physicians and other health care providers.</p>
Accountability	<p>Congress would have an important role of overseeing the MCPA, just as Congress has oversight over OPM today.</p>	<p>No accountability. Under the new health care law, the Department of Health and Human Services is forced to implement the panel’s spending cut proposals automatically, unless Congress interviews with similar cuts.</p> <p>There are virtually no checks on the panel because its members are not accountable to voters and its recommendations cannot be challenged in court.</p>
Impact on Seniors	<p>Positive. MCPA will protect seniors by ensuring a level playing field between the government-run and private plans and that all plans play by the rules. The MCPA will serve as an independent and important check on the government-run and private plans for seniors. For example, MCPA will:</p> <ul style="list-style-type: none"> • ensure that plans do not discriminate against seniors on the basis of their health status, race, sex, or age; • ensure beneficiary marketing materials are accurate; • make information available to seniors regarding their plan options; • oversee quality reporting efforts, including quality assurance reports as well as fraud and abuse case reports. 	<p>Negative. With Medicare reimbursements plummeting, some providers will not be able to see Medicare patients, which may limit patients’ access to care. Too often, delay in care results in denial of care.</p>

¹ Section 3403(b) of the Patient Protection and Affordable Care Act.