

November 20, 2003

Honorable Ted Stevens Chairman Committee on Appropriations United States Senate Washington, DC 20510

Dear Mr. Chairman,

The Congressional Budget Office has just completed its cost estimate for the conference agreement on H.R. 1, the Medicare Prescription Drug, Improvement, and Modernization Act of 2003. CBO estimates that enacting this legislation would result in direct spending outlays totaling \$395 billion over the 2004-2013 period. It would also lead to an increase in federal revenues totaling \$0.5 billion over that 10-year period. The enclosed tables provide additional detail on these estimates.

CBO has not had an opportunity to review the final legislative language, and this estimate could change upon completion of that review. Also, the estimate does not include any amounts of additional discretionary spending that might be necessary to implement the programs established by the legislation.

You asked whether the act would take offsets from discretionary accounts or unobligated balances that have previously been appropriated. In reviewing the legislative language that has been provided to us, we have found no such offsets.

You also asked whether the measure would provide direct spending for grants, studies, or other programs unrelated to Medicare benefits. We have identified three provisions that might fall in that category:

• Section 101 would appropriate a total of \$125 million for fiscal years 2005 and 2006 for grants to state pharmacy assistance programs for outreach activities and technical assistance in coordinating their programs with the new Medicare drug benefit.

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- Section 1015 would appropriate, from the Medicare trust funds, \$1.0 billion to the Department of Health and Human Services and \$0.5 billion to the Social Security Administration for administrative costs associated with the new prescription drug program.
- Section 1016 would appropriate \$200 million for loans to hospitals for capital improvements.

We regret that CBO cannot provide guidance as to how the Senate Parliamentarian might view points of order that might be raised under the Budget Act with respect to this legislation.

I hope this information is helpful to you. If you wish further details on this estimate, we would be pleased to provide them. The CBO staff contact is Tom Bradley.

Sincerely,

Douglas Holtz-Eakin Director

cc. Honorable Robert C. Byrd Ranking Minority Member

> Honorable William "Bill" M. Thomas Chairman Committee on Ways and Means

Honorable Charles B. Rangel Ranking Member

Honorable Charles E. Grassley Chairman Committee on Finance Honorable Ted Stevens Page 3

> Honorable Max Baucus Ranking Democratic Member

Honorable W. J. "Billy" Tauzin Chairman Committee on Energy and Commerce

Honorable John D. Dingell Ranking Member

	By Fiscal Year, in Billions of Dollars 2004-											2004
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013		2004- 2013
C	HANG	ES IN	DIREC	CT SPE	NDIN	G (Outl	ays)					
Prescription Drug Benefit (Title I)	0.3	0.8	25.7	39.0	44.6	48.7	53.7	58.6	65.3	73.1	110.4	409.8
Medicare Advantage (Title II)	0.5	0.8	0.4	1.7	1.7	1.7	1.8	1.9	1.8	1.8	5.2	14.2
Fee-for-Service Provisions												
(Titles III-VII)	1.8	2.5	0.6	-1.0	-2.4	-3.3	-4.1	-4.8	-5.3	-5.5	1.4	-21.5
Cost Containment (Title VIII)	0	*	*	-0.2	-0.5	-0.9	-1.8	-2.7	-3.1	-3.9	-0.8	-13.3
Administrative Improvements (Title IX)	*	*	*	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.5
Medicaid and Other Provisions (Title												
X)	1.2	1.8	0.8	0.7	0.5	0.2	0.1	0.1	0.1	0.1	5.1	5.7
Access to Affordable Pharmaceuticals		-1-	.1.	-1-	-1-	0.1	0.1	0.1	0.1	0.1	0.1	0.0
(Title XI)	*	*	*	*	*	-0.1	-0.1	-0.1	-0.1	-0.1	-0.1	-0.6
Total, Direct Spending Changes	3.8	6.0	27.5	40.2	44.0	46.5	49.8	53.0	58.7	65.5	121.4	394.8
		CHA	NGES	IN REV	/ENUE	S						
Titles I and XI	*	*	0.4	0.7	0.8	0.8	0.9	1.0	1.2	1.3	1.9	7.2
Health Savings Incentives (Title XII) <sup>a</sup>	-0.2	<u>-0.5</u>	-0.6	-0.6	-0.7	-0.7	-0.8	-0.8	-0.9	-0.9	-2.5	-6.7
Total, Revenue Changes	<u>-0.2</u> -0.2	-0.5	-0.1	*	0.1	0.1	0.2	0.2	0.3	0.4	<u>-2.5</u> -0.7	<u>-6.7</u> 0.5
		NET	BUDO	GET IN	IPACT							
Net Increase in Deficits or												
Decrease in Surpluses	4.0	6.5	27.6	40.2	43.9	46.4	49.6	52.8	58.4	65.1	122.1	394.3

## CBO Estimate of Effect on Direct Spending and Revenues of Conference Agreement on H.R. 1

NOTES: Estimates are preliminary and are subject to further review of the legislative language.

\* =costs or savings of less than \$50 million.

a. Estimate provided by the Joint Committee on Taxation.

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# CBO Estimate of Effect on Direct Spending and Revenues of Conference Agreement on H.R. 1: Detail by fiscal year, in billions of dollars

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	_	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2004- 2008	2004- 2013
	Changes in Direct Spending												
Title I: Medicare Prescription Drug Benefit	/a	0.3	0.8	25.7	39.0	44.6	48.7	53.7	58.6	65.3	73.1	110.4	409.8
Title II: Medicare Advantage													
201-223 Medicare Advantage		0.5	0.8	0.3	1.7	1.7	1.7	1.7	1.8	1.9	2.0	5.0	14.1
231-238 Additional reforms		*	*	0.1	0.1	*	*	*	*	*	*	0.2	0.4
241 Application of Comparative Cost Adjustment		0	0	0	0	0	0	*	*	-0.1	-0.2	0	-0.3
Subtotal, Title II		0.5	0.8	0.4	1.7	1.7	1.7	1.8	1.9	1.8	1.8	5.2	14.2
Title III: Combating Waste, Fraud, and Abuse													
301 Medicare secondary payer provisions		-0.4	-0.6	-0.8	-0.8	-0.9	-0.9	-1.0	-1.1	-1.2	-1.3	-3.4	-8.9
302 Payment for durable medical equipment		*	-0.4	-0.6	-0.7	-0.7	-0.7	-0.9	-0.9	-0.9	-1.0	-2.4	-6.8
303 Competitive acquisition of covered outpatient drugs		0.1	-0.1	-0.2	-0.3	-0.3	-0.4	-0.5	-0.6	-0.8	-0.9	-0.9	-4.2
304 Application to certain specialties		-0.1	-0.5	-0.4	-0.5	-0.6	-0.7	-0.9	-1.0	-1.2	-1.4	-2.2	-7.3
305 Payment for inhalation drugs		-0.1	-0.2	-0.3	-0.3	-0.4	-0.4	-0.5	-0.6	-0.7	-0.8	-1.3	-4.2
306 Demonstration for recovery audit contractors		0	0	0	0	0	0	0	0	0	0	0	0
307 Background checks		0	*	*	*	0	0	0	0	0	0	*	*
Subtotal, Title III		-0.6	-1.7	-2.3	-2.6	-2.9	-3.2	-3.7	-4.2	-4.7	-5.3	-10.1	-31.3

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		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2004- 2008	2004- 2013
Title IV: R	Rural Provisions												
	Subtitle A: Part A												
401	Equalize standardized amount	0.3	0.6	0.7	0.7	0.8	0.8	0.9	0.9	1.0	1.1	3.0	7.6
402	Disproportionate share adjustment	0.1	0.2	0.2	0.3	0.3	0.3	0.3	0.3	0.3	0.4	1.1	2.7
	Adjust wage index for labor share	*	0.4	0.5	0.5	0.5	0.6	0.6	0.7	0.7	0.8	1.9	5.2
404	More frequent MB weight updates	0	0	0	0	0	0	0	0	0	0	0	0
405	Critical access hospital Provisions	*	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.4	0.9
406	Inpatient adjustment for low-volume hospitals	0	*	*	*	*	*	*	*	*	*	*	0.1
407	SCH: missing cost reports	*	*	*	*	*	*	*	*	*	*	0.1	0.1
408	Hospice: Authorization of nurse practitioners	*	*	*	*	*	*	*	*	*	*	*	0.1
409	Rural hospice demonstration	*	*	*	*	*	*	*	*	*	*	*	*
410	Exclude certain FQHCs from SNF PPS	0	*	*	*	*	*	*	*	*	*	*	0.1
410A	Rural community hospital demonstration program	0	*	*	*	*	*	0	0	0	0	*	*
	Subtitle B: Part B												
411	HOPD PPS: Two year extension of hold harmless	0.1	0.2	*	0	0	0	0	0	0	0	0.3	0.3
	Work GPCI floor for physicians	0.2	0.3	0.3	0.1	0	0	0	0	0	0	1.0	1.0
413	Physician: incentive payments	0	0.2	0.2	0.2	0.1	0	0	0	0	0	0.7	0.7
414	Payment for ambulance services	*	0.1	0.1	0.1	0.1	0.1	*	*	*	*	0.5	0.6
	Rural air ambulance	0	*	*	*	*	*	*	*	*	*	*	0.1
416	Rural HOPD lab policy	*	0.1	0.1	*	0	0	0	0	0	0	0.2	0.2
417	Telemedicine demo extension	*	*	*	*	0	0	0	0	0	0	*	*
418	Report on SNF as telehealth sites	0	0	*	*	*	*	*	*	*	*	*	0.1
	Subtitle C: Parts A & B												
421	HH: 1 Year reinstatement of rural update	*	0.1	0	0	0	0	0	0	0	0	0.1	0.1
422	Redistribution of unused resident positions	0	*	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.6
	Subtitle D: Other Provisions												
431	FQHC: Safe harbor	0	0	0	0	0	0	0	0	0	0	0	0
432	Office of Rural Health Policy	0	0	0	0	0	0	0	0	0	0	0	0
433	MedPAC study on rural payment adjustments	0	0	0	0	0	0	0	0	0	0	0	0
	Frontier extended stay clinic demonstration project	*	*	*	*	*	*	*	*	*	*	0.1	0.2
	Subtotal, Title IV	0.8	2.2	2.3	2.1	1.9	1.9	2.0	2.1	2.2	2.4	9.3	19.9

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	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2004- 2008	2004- 2013
Title V: Provisions relating to Part A												
Subtitle A: Inpatient Hospital Services												
501 Acute care hospital updates	0	-0.1	-0.1	*	*	0	0	0	0	0	-0.2	-0.2
502 Indirect Medical Education	0.2	0.3	0.1	-0.1	*	0	0	0	0	0	0.4	0.4
503 New technologies under PPS	0	*	*	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.5
504 Puerto Rico federal rates	*	*	*	*	*	*	*	0.1	0.1	0.1	0.2	0.4
505 Wage index adjustment	0	*	*	*	*	*	*	*	*	0.1	0.1	0.4
506 Limitation on charges to Indians	0	0	0	0	0	0	0	0	0	0	0	0
507 Limitations on physician referrals	0	*	*	*	*	*	*	*	*	*	*	*
508 One-time appeals process for hospital wage index	0.2	0.2	0.2	0.2	*	0	0	0	0	0	0.9	0.9
Subtitle B: Other Provisions												
511 Payments to skilled nursing facilties	*	*	0	0	0	0	0	0	0	0	*	*
512 Coverage of hospice consultation services	*	*	*	*	*	*	*	*	*	*	0.1	0.3
513 Study on portable ultrasound in SNFs	0	0	0	0	0	0	0	0	0	0	0	0
Subtotal, Title V	0.4	0.5	0.4	0.2	0.2	0.2	0.2	0.2	0.2	0.2	1.7	2.7
Title VI: Provisions relating to Part B												
Subtitle A: Physicians' Services												
601 Update revisions	0.6	1.2	0.8	0.2	-0.4	-0.6	-0.6	-0.7	-0.5	0.3	2.4	0.2
602 Services in Alaska	*	*	*	0	0	0	0	0	0	0	0.1	0.1
603 Private contracting for podiatrists et al.	*	*	*	*	*	*	*	*	*	*	*	*
604 Study on access to physicians' services	0	0	0	0	0	0	0	0	0	0	0	0
605 Report on geog. adj. of practice expenses	0	0	0	0	0	0	0	0	0	0	0	0
605 MedPAC report on payments to physicians	0	0	0	0	0	0	0	0	0	0	0	0
Subtitle B: Preventive Services												
611 Preventive physical	0	0.1	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.6	1.7
612 Cardiovascular screening tests	0	0.1	0.1	*	*	*	*	*	*	*	0.2	0.3
613 Diabetes screening tests	0	*	*	*	*	*	*	*	*	*	*	*
614 Mammography payments	0	*	*	*	*	*	*	*	*	*	0.1	0.2

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2004-2004-2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2008 2013 Subtitle C: Other Provisions 621 HOPD PPS: Payment reform 0 0 0 0 0 0 0 0.7 0.7 0.3 0.4 0.1 622 Functional equivalence 0 0 0 0 0 0 0 0 0 0 0 0 623 Payment for dialysis services 0 0.1 0.1 0.1 0.1 0.1 0.1 0.1 0.3 0.1 0.1 1.0 624 Therapy: 2 year moratorium on cap in 2004 0.3 0.4 0 0 0 0 0 0 0 0.7 0.7 625 Waiver of Part B late enrollment penalty \* \* \* \* \* \* \* \* \* \* 0.1 0.2 626 ASC: Payment adjustments \* -0.1 -0.1 -0.2 -0.3 -0.4 -0.4 -0.5 -0.5 -0.5 -0.8 -3.1 627 Payments for shoes and inserts 0 \* \* \* \* \* \* \* 628 Payment for clinical diagnostic lab test -0.1 -0.2 -0.4 -0.6 -0.8 -0.9 -1.0 -1.1 -1.2 -1.3 -2.2 -7.8 629 Index Part B deductible 0 -0.2 -0.5 -0.7 -0.9 -1.2 -1.5 -1.8 -2.2 -2.6 -2.3 -11.6 630 Part B services provided by Indian hosps & clinics 0 \* 0 0 0 0.1 0.1 Subtitle D: Other Provisions 641 Demo: Coverage of certain drugs and biologics 0 0 0 0 0 0 0 0.5 0.5 0.1 0.3 0.1 642 Coverage of intravenous immune globulin \* \* \* . \* \* . \* 0.1 643 Study: Nurse first assistants 0 0 0 0 0 0 0 0 0 0 0 0 644 Study: Cardio-thoracic surgeons 0 0 0 0 0 0 0 0 0 0 0 0 645 Study: Vision services 0 0 0 0 0 0 0 0 0 0 0 0 646 Quality demonstration program 0 \* 0 \* 0 0 0 647 Study: Direct access to physical therapy 0 0 0 0 0 0 0 0 0 0 0 0 648 Demo: Chronic outpatient services 0 \* \* \* \* \* \* \* \* 0.1 0.1 0.3 \* \* \* \* \* 649 Demo: Care management 0 0 \* \* \* 0.1 0 0 0 0 0 0 0 0 650 Study: Concierge care 0 0 0 0 \* 651 Demo: Chiropractic services 0 0 \* \* 0 0 0 0 0 0 \* Subtotal, Title VI 2.1 -2.7 -3.2 -3.7 1.1 0.5 -0.9 -2.0 -3.9 -3.7 0.8 -16.3 Title VII: Provisions relating to Parts A and B Subtitle A: Home Health Services 701 Update -0.2 -0.3 -0.4 -0.5 -0.6 -0.7 -0.8 -0.9 -1.0 -1.1 -2.1 -6.5 702 Homebound demonstration \* 0.1 \* 0 0 0 0 0 0 0 0.1 0.1 0 0 0 0 703 Medical adult day care demonstration 0 0 0 0 0 0 0 0 704 Suspension of non-Medicare/Medicaid OASIS collection 0 0 0 0 0 0 0 0 0 0 0 0 705 MedPAC study 0 0 0 0 0 0 0 0 0 0 0 0 706 Religious nonmedical care 0 0 0

Subtitle B: Graduate Medical Education

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		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2004- 2008	2004- 2013
711		-0.1	-0.1	-0.1	-0.1	-0.1	-0.1	-0.1	-0.2	-0.2	-0.2	-0.5	-1.3
	Geriatric residency/fellowship	0	0	0	0	0	0	0	0	0	0	0	0
713	Treatment of volunteer supervision	0.1	*	0	0	0	0	0	0	0	0	0.1	0.1
	Subtitle C: Chronic Care Improvement												
	Chronic care mgmt: fee for service	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.3	0.5
	Chronic care mgmt: Medicare Advantage											0.1	0.1
723	Research plan	0	0	0	0	0	0	0	0	0	0	0	0
704	Subtitle D: Other Provisions	0	*	*	*	*	*	*	*	*	*	*	*
	National and local coverage determinations	0			*								
732		0	0.1	0.1	*	0	0	0	0	0	0	0.2	0.2
733	Pancreatic islet cell transplants Restoration of Medicare trust funds											0.1	0.1
734		0	0	0	0	0	0	0	0	0	0	0	0
735		0	0	0	0	0	0	0	0	0	0	0	0
736	Technical amendments	0	0	0	0	0	0	0	0	0	0	0	0
	Subtotal, Title VII	-0.1	-0.1	-0.4	-0.5	-0.7	-0.8	-0.9	-1.0	-1.1	-1.2	-1.8	-6.7
Title VIII:	Cost Containment												
Subtitle A	Cost Containment	0	0	0	0	0	0	0	0	0	0	0	0
Subtitle B	Income-related reduction in Part B Premium subsidy /a	0	*	*	-0.2	-0.5	-0.9	-1.8	-2.7	-3.1	-3.9	-0.8	-13.3
	Subtotal, Title VIII	0	*	*	-0.2	-0.5	-0.9	-1.8	-2.7	-3.1	-3.9	-0.8	-13.3
Title IX: A	dministrative Improvements	*	*	*	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.5
	Subtotal Gross Outlays	2.5	4.6	26.7	38.8	42.4	45.0	48.2	51.2	56.7	63.5	114.9	379.5
Premium	& Cost-Sharing Interactions	0.1	-0.4	0.1	0.7	1.0	1.3	1.6	1.8	2.0	2.1	1.6	10.3
	SUBTOTAL, Medicare provisions	2.6	4.2	26.8	39.5	43.5	46.3	49.7	53.0	58.7	65.5	116.5	389.7

## CBO Estimate of Effect on Direct Spending and Revenues of Conference Agreement on H.R. 1: Detail by fiscal year, in billions of dollars

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	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2004- 2008	2004- 2013
Title X: Medicaid and Miscellaneous Provisions	2004	2005	2000	2007	2008	2009	2010	2011	2012	2013	2008	2013
Subtitle A: Medicaid Provisions												
1001 Increased Medicaid DSH payments	0.7	0.6	0.5	0.4	0.3	0.1	0.1	0.1	0.1	0.1	2.5	3.0
1002 Section 340B amendment	0	0	0	0	0	0	0	0	0	0	0	0
1003 Extension of IMD moratorium	*	*	*	*	*	*	*	*	*	*	*	*
Subtitle B: Miscellaneous Provisions												
1011 Emergency services for undocumented aliens	0	0.1	0.2	0.3	0.3	0.1	*	0	0	0	0.9	1.0
1012 Commission on Systemic Interoperability	0	0	0	0	0	0	0	0	0	0	0	0
1013 Outcomes research	0	0	0	0	0	0	0	0	0	0	0	0
1014 Citizens Health Care Working Group	0	0	0	0	0	0	0	0	0	0	0	0
1015 Appropriation for Administrative Costs	0.5	1.1	0	0	0	0	0	0	0	0	1.5	1.5
1016 Health care infrastructure improvement program	*	0.1	0.1	0.1	*	0	0	0	0	0	0.2	0.2
Subtotal, Title X	1.2	1.8	0.8	0.7	0.5	0.2	0.1	0.1	0.1	0.1	5.1	5.7
Title XI: Access to Affordable Pharmaceuticals												
Subtitles	*	*	*	*	*	~ /				<b>.</b> (		
A&B Revisions to Hatch-Waxman Act				*	*	-0.1	-0.1	-0.1	-0.1	-0.1	-0.1	-0.6
Subtitle C Importation of Prescription Drugs	0	0	0	*	*	*	*	*	*	*	*	*
Subtotal, Title XI	*	*	*	*	*	-0.1	-0.1	-0.1	-0.1	-0.1	-0.1	-0.6
TOTAL, Change in Direct Spending	3.8	6.0	27.5	40.2	44.0	46.5	49.8	53.0	58.7	65.5	121.4	394.8

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5.0

<u>2.2</u>

7.2

-6.7

0

-6.7

-1.7

2.2

0.5

#### CBO Estimate of Effect on Direct Spending and Revenues of Conference Agreement on H.R. 1: Detail by fiscal year. in billions of dollars

2004-2004-2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2008 2013 **Changes in Revenues** Titles I and XI: Prescription Drug Benefit and Access to Affordable Pharmaceuticals Income and HI Payroll Taxes (on-budget) 0.3 0.5 0.5 0.6 0.7 0.7 0.8 0.9 1.3 Social Security Payroll Taxes (off-budget) \* \* 0.2 0.4 0.1 <u>0.2</u> <u>0.3</u> 0.3 0.3 <u>0.4</u> 0.6 \* Subtotal 0.4 0.7 0.8 0.8 0.9 1.0 1.2 1.3 1.9 Title XII: Tax Incentives for Health and Retirement Security /b -2.5 Income and HI Payroll Taxes (on-budget) -0.2 -0.5 -0.6 -0.6 -0.7 -0.7 -0.8 -0.8 -0.9 -0.9 Social Security Payroll Taxes (off-budget) 0 0 0 0 0 0 0 0 0 0 0 -0.2 -0.9 -2.5 -0.5 -0.6 -0.7 -0.9 Subtotal -0.6 -0.7 -0.8 -0.8 **TOTAL, Change in Revenues** Income and HI Payroll Taxes (on-budget) \* -0.2 -0.5 -0.2 -0.2 -0.2 -0.2 -0.1 -0.1 -0.1 -1.2 Social Security Payroll Taxes (off-budget) 0.4 \* \* 0.1 0.2 0.2 0.3 0.3 0.3 0.4 0.6 Total, Change in Revenues -0.2 -0.5 -0.1 \* 0.1 0.1 0.2 0.2 0.3 0.4 -0.7 **MEMORANDUM:** Net Increase in Deficit or Decrease in Surplus 4.0 6.5 27.6 40.2 43.9 46.4 49.6 52.8 58.4 65.1 122.1 394.3

#### NOTES:

ASC = ambulatory surgical center; DSH = disproportionate share hospital; FQHC = federally qualified health center; GPCI = geographic practice cost index; HH = home health; HOPD = hospital outpatient department; IMD = institution for mental disease; MB = market basket; OASIS = outcome and assessment information set; PPS = prospective payment system; SCH = sole community hospital; SNF = skilled nursing facility.

Estimates are preliminary and are subject to further review of the legislative language.

\* = costs or savings of less than \$50 million.

a. Estimates include effects of expanded access to tax return information.

b. Estimates provided by the Joint Committee on Taxation.