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## **SENATE PUTS OFF VOTE ON MEDICARE PACKAGE -- VOWS TO ADDRESS ISSUE IN JULY**

Washington – The Senate failed last night to invoke cloture to allow consideration of “The Medicare Improvement for Patients and Providers Act of 2008” (HR 6331). The vote was 58-40, with supporters of the cloture motion just one vote short of the required 60 votes (Senate Majority Leader Reid switched his vote to no to reserve his right to bring up the measure in the future).

“While ACLA is disappointed the Senate failed to move to consider the Medicare bill last night, it was clear that the Senate intends to work toward passing a Medicare package when they return in July,” said Alan Mertz, President of the American Clinical Laboratory Association (ACLA).

“We remain optimistic that the key items of importance to the ACLA will be brought up again in the House and Senate in July,” Mertz said. “The repeal of the laboratory competitive bidding project, the extension of the TC grandfather clause, and, of course, reversing the 10.1% scheduled cut in physician reimbursement are part of the House-passed bill (HR 6331), as well as in bills introduced by Senator Baucus (D-MT), S 3101, and Senator Grassley (R-IA), S 3118.”

ACLA has long opposed the laboratory competitive bidding project not only because of concern for beneficiaries, but because it imposes unworkable requirements and ignores the complexity of laboratory services and the differences in types of tests and laboratories. Ironically, ‘competitive bidding’ for laboratory services would result in *less* competition and lower quality of services.

In April 2008, a federal district court in San Diego issued a preliminary injunction halting the competitive bidding demonstration slated to begin in San Diego on July 1, 2008. The District judge cited the potential for “irreparable harm” to Medicare beneficiaries and the laboratories who serve them.

ACLA represents local, regional and national clinical laboratories throughout the United States and has been a leader in the campaign to repeal the Medicare competitive bidding demonstration project. ACLA has also backed legislation permanently extending the “TC grandfather” clause.

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