

Health Care Reform Legislation

On March 30, 2010, the President signed the "Health Care and Education Reconciliation Act of 2010," amending the Patient Protection and Affordable Care Act" that he had signed exactly one week before. This ended the initial legislative phase of the government's effort to overhaul the way health care is provided. Now, attention moves to the regulatory phase of health care implementation. Companies who want to ensure that their unique issues and concerns are given meaningful consideration during this process will need strong advocates with experience. Groom offers a recognized and respected legislative practice, known for its deep technical expertise and political skill. Over the past 10 years, Groom has worked on nearly every major legislative and regulatory initiative affecting the private health insurance market and ERISA. Many Groom attorneys have held senior positions in Congress and relevant agencies, adding a unique and valuable depth to our knowledge. Groom regularly represents associations, coalitions, financial and health care service providers and employers on health care, retirement and tax issues. We work closely with our clients to understand their legal and business priorities and to develop comprehensive legislative and regulatory strategies and solutions.

Examples of our relevant experience include:

- Providing expert advice and testimony to Congress on a variety of issues, including Mental Health Parity and Health Savings Accounts.
- Drafting and successfully negotiating legislative solutions to address client concerns. For example, we helped a client develop and drive a legislative solution that would permit the company to use excess pension assets to fund multiple years of retiree health coverage. In doing so, we aided the company in defining the legislative strategy, drafting materials, meeting with appropriate congressional staffers, and defending the proposal to the Department of the Treasury. As a result of our efforts, the legislative change was included in the Pension Protection Act (PPA).

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- Influencing the interpretation that regulatory agencies give to legislation, including the Department of Labor, the Department of the Treasury/Internal Revenue Service, and the Department of Health and Human Services/Centers for Medicare & Medicaid Services. We regularly interface with agency officials on behalf of clients through detailed comment letters, advisory opinion and private letter ruling requests and in-person meetings. We have a long history of successfully shaping regulatory guidance and obtaining favorable rulings to address our clients' needs.
- Closely monitoring proposed federal and state legislation on particular issues of interest to clients, and providing regular updates on proposals and emerging trends at the earliest stages, when it is still possible to influence legislation.