

Memo

To: Rep. Mary Lou Dickerson
From: Andy Shin
Re: Affordable Care Act Prevention Provisions
Date: Oct 26, 2010

This memo summarizes the prevention provisions in the Affordable Care Act ("ACA") as passed this past March. The term prevention can be broadly defined to include: clinical prevention, community prevention, workforce in preventive services, elder justice, wellness programs and child & maternal health etc. Therefore, I have attached a brief summary detailing the provisions that are most closely associated with prevention in the broadest way possible.

PPACA Section	Title	Description	Start or Effective Date or Deadline	End Date	Frequency or Duration
NUTRITION LABELING					
4205	Chain Restaurant Menus and Vending Machines: Nutrition Information	Requires the Secretary to publish a Federal Register notice with information for retail food establishments seeking to voluntarily provide nutrition information to consumers.	7/21/2010		
4205	Chain Restaurant Menus and Vending Machines: Nutrition Labeling Recommendations	Requires the Secretary to promulgate proposed nutrition labeling regulations.	3/23/2011		
PAIN CARE MANAGEMENT					
4305(a)*	IOM Conference on Pain: Report	Requires a report to Congress summarizing the Conference on Pain's findings and recommendations.	6/30/2011		
4305(a)*	IOM Conference on Pain: Conference Agreement	Requires Secretary to seek an agreement with IOM (or another appropriate entity if the IOM declines) to convene a Conference on Pain.	One year after funds appropriated		
4305(b)	Pain Research: Interagency Pain Research Coordinating Committee	Requires the Secretary to establish, and as necessary maintain, the Interagency Pain Research Coordinating Committee.	3/23/2011		Review necessity every two years thereafter
4305(b)	Pain Research: Recommendations	Requires the Pain Consortium to develop and submit to the NIH Director recommendations on pain research initiatives.			Not less than annually thereafter
PREVENTION AND WELLNESS					
10413*	Community-Based Prevention Programs: Young Women's Breast Health Awareness	Requires the Secretary to establish an advisory committee to assist in creating and conducting required education campaigns regarding young women's breast health.	5/22/2010		
4001 [amended by PPACA 10401(a)]	Community-Based Prevention Programs: National Prevention, Health Promotion and Public Health Council	Requires the National Prevention, Health Promotion and Public Health Council to submit to the President and the relevant committees of Congress, an annual report on prevention, health promotion, and public health activities, goals, and progress.	7/1/2010	1/1/2015	Annually thereafter
Sec. 4004 [amended by PPACA 10401(c)]*	Community-Based Prevention Programs: Education and Outreach Regarding Preventive Benefits	Requires the Secretary to report to Congress on outreach efforts for states and providers regarding obesity-related services for Medicaid beneficiaries	1/1/2011	1/1/2017	Triennially
3509*	Community-Based Prevention Programs: Offices on Women's Health	Requires the Secretary to submit a report to Congress describing projects related to improving women's health.	3/23/2011		Biennially thereafter
4001 [amended by PPACA 10401(a)]	Community-Based Prevention Programs: National Prevention, Health Promotion and Public Health Council	Requires the Secretary to publish a national prevention, health promotion and public health strategy.	3/23/2011		
4004 [amended by PPACA 10401(c)]*	Community-Based Prevention Programs: Education and Outreach Campaign Regarding Preventive Benefits	Requires the Secretary to establish a national media campaign on health promotion and disease prevention.	3/23/2011		
10334*	Community-Based Prevention Programs: Offices of Minority Health	Requires the Secretary to submit to Congress reports describing the activities of the Office of Minority Health and agencies regarding minority health.	3/23/2011		Biennially thereafter
4204*	Community-Based Prevention Programs: Immunizations	Requires GAO to submit a report to Congress on Medicare beneficiary access to vaccines.	6/1/2011		
4102*	Community-Based Prevention Programs: Oral Health Activities	Requires the Secretary to implement a 5-year oral health care prevention and education campaign.	3/23/2012		
4203	Community-Based Prevention Programs: Wellness for Individuals with Disabilities	Requires the Architectural and Transportation Barriers Compliance Board to issue regulatory standards for medical diagnostic equipment, to improve disabled access.	3/23/2012		
10407(d)*	Community-Based Prevention Programs: Better Diabetes Care	Requires the Secretary to submit to Congress a report on a required study on the appropriate level of diabetes medical education.	3/23/2012		

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4202 ^b	Community-Based Prevention Programs: Community Wellness Pilot; Medicare Wellness Evaluation	Requires the Secretary to submit a report to Congress on programs that promote healthy lifestyles and reduce risk factors for the Medicare population based on an evidence review and evaluation of programs.	9/30/2013		
4204 ^a	Community-Based Prevention Programs: Immunizations	Requires the Secretary to submit a report to Congress on the demonstration program to improve the provision of recommended immunizations.	3/23/2014		
1302 [amended by HCERA 1004]	Prevention in Private Health Insurance: Essential Health Benefits Requirement	Effective date for inclusion of the "essential health benefits package," including preventive and wellness services, in plans offered by qualified health plans that participate in insurance exchanges.	Plan years beginning on or after 1/1/2014		
4107 [amended by PPACA 10201(c)]	Prevention Under Medicaid: Medicaid Tobacco Cessation Services for Pregnant Women	Requires states to provide Medicaid coverage to pregnant women for counseling and drug therapy for tobacco cessation.	10/1/2010		
4108 ^b	Prevention Under Medicaid: Incentives for Chronic Disease Prevention Under Medicaid	Requires the Secretary to award grants to states to provide incentives to Medicaid beneficiaries to participate in healthy lifestyle programs.	1/1/2011	1/1/2016	
4106	Prevention Under Medicaid: Medicaid Preventive Services for Adults	Provides states an enhanced federal match if they provide Medicaid coverage of recommended preventive services for eligible adults.	1/1/2013		
4108 ^b	Prevention Under Medicaid: Incentives for Chronic Disease Prevention Under Medicaid	Requires the Secretary to submit an initial report and a final report to Congress on the Medicaid healthy lifestyle initiatives implemented through the state grant program.	1/1/2014	1/1/2016	
4103 [amended by PPACA 10402(b)]	Prevention Under Medicare: Medicare Annual Visit and Personalized Prevention Plan	Effective date of coverage of Medicare personalized prevention plan services.	1/1/2011		
4104 [amended by PPACA 10406]	Prevention Under Medicare: Removal of Cost-Sharing for Medicare Preventive Services	Effective date of waiver of cost-sharing for Medicare covered preventive services.	1/1/2011		
10501(i)	Prevention Under Medicare: Preventive Services Furnished at FQHCs	Effective date for FQHCs to receive reimbursement for Medicare covered preventive services.	1/1/2011		
4103(b) [amended by PPACA 10402(b)]	Prevention Under Medicare: Medicare Annual Visit and Personalized Prevention Plan	Requires the Secretary to publish guidelines for health risk assessments, to support Medicare coverage of personalized prevention plan services.	3/23/2011		
4103(b) [amended by PPACA 10402(b)]	Prevention Under Medicare: Medicare Annual Visit and Personalized Prevention Plan	Requires the Secretary to establish standards for interactive telephonic or web-based programs used to furnish health risk assessments.	3/23/2011		
4103 [amended by PPACA 10402(b)]	Prevention Under Medicare: Medicare Annual Visit and Personalized Prevention Plan	Requires the Secretary to publish a health risk assessment model, to support Medicare coverage of personalized prevention plan services.	9/23/2011		
1001	Wellness Programs: Reporting Requirements for Group Health Plans	Requires the Secretary to develop reporting requirements for group health plans and health insurance issuers related to benefits and reimbursement that implement, among other things, "wellness and health promotion activities."	3/23/2012		
1001	Wellness Programs: Reporting Requirements for Group Health Plans	Requires the Secretary to promulgate regulations providing criteria for determining whether a reimbursement structure meets specified reporting elements for, among other things, "wellness and health promotion activities."	3/23/2012		
4303	Wellness Programs: CDC Grants for Employer Based Wellness Programs	Requires the CDC Director to conduct a national survey of employer-based health policies and programs.	3/23/2012		Regular intervals

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1201	Wellness Programs: Regarding Prohibiting Discrimination Based on Health Status	Requires the Secretary to submit a report to Congress regarding the impact and effectiveness of wellness programs and incentives.	3/23/2013		
1201	Wellness Programs: Regarding Prohibiting Discrimination Based on Health Status	Requires the Secretary to establish a 10-state pilot program in which participating states are required to apply the wellness program provisions to health insurers in the individual market.	7/1/2014		
1001	Wellness Programs: Reporting Requirements for Group Health Plans	Requires GAO to submit a report to Congress regarding the impact of the reporting requirement for group health plans have had on the quality and cost of health care.	180 days after regulations published		
4303	Wellness Programs: CDC Grants for Employer Based Wellness Programs	Requires the CDC Director to submit a report to Congress with recommendations for the implementation of effective employer-based health policies and programs.	Upon completion of the employer-based health policies survey		
ELDER JUSTICE					
6703(a)	Elder Justice: Option for State Plan under TANF Program	Effective date for a state's TANF state plan to indicate whether the state intends to assist individuals to train for, seek, and maintain employment providing direct care in a LTC facility or in other related elder care occupations.	1/1/2011		
6703(a)*	Elder Justice: Advisory Board on Elder Abuse, Neglect, and Exploitation	Requires the Advisory Board on Elder Abuse, Neglect, and Exploitation to prepare and submit a report to the Elder Justice Coordinating Council and to Congress containing a report on the status of federal, state, and local elder justice activities and recommendations.	9/23/2011		Annually thereafter
6703(c)*	Elder Justice: National Nurse Aide Registry	Requires the Secretary to submit to the Elder Justice Coordinating Council and to Congress a report containing the findings and recommendations of a study on establishing a national nurse aide registry.	9/23/2011		
6703(a)*	Elder Justice: Coordinating Council	Requires the Elder Justice Coordinating Council to submit a report to Congress on the Council's activities and recommendations for legislation or other action.	3/23/2012		Every two years thereafter
6703(a)	Elder Justice: Report	Requires the Secretary to submit to the Elder Justice Coordinating Council and to Congress a report containing specified information and recommendations regarding state APS grantee activities.	10/1/2014		
6703(a)*	Elder Justice: Adoption of Standards for Transactions Involving Clinical Data by LTC Facilities	Requires the Secretary to have procedures in place to accept the electronic submission of clinical data by LTC facilities pursuant to specified standards.	3/23/2020		
6703(a)*	Elder Justice: Evaluation Reports	Requires an eligible entity receiving assistance to conduct evaluations of funded Elder Justice activities to submit to the Secretary and to Congress a report containing the results of the evaluation and recommendations.	Not later than date specified by the Secretary		

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HEALTH WORKFORCE					
5304 ^a	Dental Workforce: Alternative Dental Health Care Provider Demonstration	Requires alternative dental health care providers demonstration projects funded under the section to begin and end according to specified dates.	3/23/2012	3/23/2017	
5507 ^b	Geriatric and LTC Workforce: Health Workforce Demonstrations	Requires the Secretary to award grants to eligible states to conduct demonstration projects related to personal or home care aides.	9/23/2011		
5507 ^b	Geriatric and LTC Workforce: Health Workforce Demonstrations	Requires the Secretary to submit to Congress a report on the initial implementation of activities conducted under the home care aide demonstration project.	3/23/2012		
5103 ^a	Health Workforce Evaluation and Assessment: Health Care Workforce Program Assessment	Transfers the responsibilities and resources of the National Center for Health Workforce Analysis to the National Center for Health Care Workforce Analysis.	9/19/2010		
10501(b)	Health Workforce Evaluation and Assessment: Task Force on Alaska Health Care	Requires the Interagency Access to Health Care in Alaska Task Force to submit to Congress a report on improving the delivery of care to federal health care systems beneficiaries in Alaska.	9/19/2010		
5101 ^a	Health Workforce Evaluation and Assessment: National Health Care Workforce Commission	Requires the Comptroller General to make initial appointments of members to the NHCWC.	9/30/2010		
5101 ^a	Health Workforce Evaluation and Assessment: National Health Care Workforce Commission	Requires the NHCWC to make the first of 2 annual reports to Congress and to the Administration with recommendations for meeting the need for health care workers.	4/1/2011		Annually thereafter
5101 ^a	Health Workforce Evaluation and Assessment: National Health Care Workforce Commission	Requires the NHCWC to make the second of 2 annual reports to Congress and to the Administration on meeting the need for health care workers.	10/1/2011		Annually thereafter
5102 ^a	Health Workforce Evaluation and Assessment: State Health Workforce Development Grants	Requires entities receiving a grant to report on their grant activities within 1 year of receiving a grant. The administration will use these reports to develop a report to Congress on the program.	One year after grants are awarded		Annually thereafter
5701	Health Workforce Evaluation and Assessment: Reports	Requires the Secretary to submit an annual report to Congress on the activities carried out under Title V of PPACA, as amended.			Annually
5503(a)	Medicare GME Payments: Distribution of Additional Residency Positions	Requires the Secretary to permanently reduce the residency caps of hospitals with unused residency slots. Further requires the Secretary to redistribute these unused positions, based on a specified formula, to increase a hospital's resident limit, provided that the hospital uses a specified percentage of these residency positions in primary care and general surgery.	7/1/2011		
5503(b)	Medicare GME Payments: Distribution of Additional Residency Positions	Requires that the redistributed residency positions be counted when determining a hospital's IME payments.	7/1/2011		
5602	NHSC: Designating Medically Underserved Populations and HPSAs	Requires the negotiated rulemaking committee for designating medically underserved populations and HPSAs to deliver a specified progress report to the Secretary.	4/1/2010		
5602	NHSC: Designating Medically Underserved Populations and HPSAs	Requires the Secretary to publish a required notice of proposed negotiated rulemaking for designating medically underserved populations and HPSAs.	5/7/2010		
5602	NHSC: Designating Medically Underserved Populations and HPSAs	Requires the Secretary to publish an interim final rule, subject to revision after public comment, for designating medically underserved populations and HPSAs.	7/1/2010		