
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 477 Session of
2005

INTRODUCED BY YUDICHAK, PISTELLA, CAWLEY, TIGUE, COSTA, ALLEN,
BARRAR, BEBKO-JONES, BELARDI, BUNT, CALTAGIRONE, CAPPELLI,
COHEN, CREIGHTON, CURRY, DENLINGER, DeWEESE, D. EVANS,
FRANKEL, GEORGE, GERGELY, GOODMAN, GRUCELA, HASAY, HERMAN,
HUTCHINSON, JAMES, JOSEPHS, MANN, MARKOSEK, MUNDY, MUSTIO,
PALLONE, PETRARCA, READSHAW, SCHRODER, SIPTROTH, SOLOBAY,
STABACK, SURRA, THOMAS, WHEATLEY, WOJNAROSKI AND YOUNGBLOOD,
OCTOBER 19, 2005

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
OCTOBER 19, 2005

A RESOLUTION

1 Urging the Congress of the United States to direct the Centers
2 for Medicare and Medicaid Services to permit Pennsylvanians
3 already enrolled in Pharmaceutical Assistance Contract for
4 the Elderly (PACE) and PACE Needs Enhancement Tier (PACENET)
5 to be automatically enrolled in the Medicare Part D
6 prescription drug program.

7 WHEREAS, Under the Medicare Prescription Drug, Improvement
8 and Modernization Act of 2003 (MMA), eligible Medicare
9 recipients may begin enrolling this November for prescription
10 drug coverage through the new Federal drug benefit, Medicare
11 Part D; and

12 WHEREAS, More than 2 million Pennsylvanians who receive
13 health coverage through Medicare will be impacted by Medicare
14 Part D, which is slated to begin in January 2006; and

15 WHEREAS, Final Medicare Part D regulations issued earlier
16 this year by the Centers for Medicare and Medicaid Services

(CMS) prohibit state pharmaceutical assistance programs from automatically enrolling their beneficiaries in the various prescription drug plans offered through Medicare Part D; and

WHEREAS, MMA allows states to petition CMS to adopt innovative approaches for enrolling citizens participating in state pharmaceutical assistance programs in Medicare Part D; and

WHEREAS, CMS has denied a request by officials of the Commonwealth of Pennsylvania to automatically enroll PACE and PACENET recipients; and

WHEREAS, CMS allowed for automatic enrollment of citizens in state pharmaceutical assistance programs when the Medicare-approved drug discount cards were introduced through MMA, and there is no reason why the same efficient process could not be utilized again; and

WHEREAS, The State Pharmaceutical Assistance Transition Commission specifically and explicitly recommended to CMS automatic enrollment of state pharmaceutical assistance plans subscribers; and

WHEREAS, Allowing automatic enrollment of PACE and PACENET recipients into the Medicare Part D drug benefit would benefit the Commonwealth of Pennsylvania's State Lottery-funded prescription drug programs and the people they serve in many important ways and would avoid unnecessary, complex and confusing overlapping health coverage among recipients; and

WHEREAS, The Commonwealth of Pennsylvania's successful PACE and PACENET prescription drug coverage programs already provide nearly 300,000 enrollees with prescription drug coverage options having very few restrictions; and

WHEREAS, By automatically enrolling PACE and PACENET full-subsidy eligibles, the Commonwealth of Pennsylvania can make

1 wise use of these funds to boost the State programs by adding
2 more seniors or lowering the PACE program's age requirements;
3 and

4 WHEREAS, Rather than PACE and PACENET providing the entire
5 prescription drug coverage for beneficiaries, through automatic
6 enrollment in Medicare Part D, the Commonwealth of Pennsylvania
7 can save millions of dollars by filling in the gaps of Medicare
8 prescription drug coverage by utilizing the wider scope of
9 coverage provided through PACE and PACENET; and

10 WHEREAS, In order to avoid the time and expense of collecting
11 the same information separately and have our senior citizens
12 face even more confusion through such a tedious process,
13 automatic enrollment would provide Medicare with the information
14 already collected by PACE and PACENET; and

15 WHEREAS, Automatic enrollment would be the most sensible way
16 to provide needed coverage to seniors while helping to control
17 the ever-rising costs of health care and eliminate the Federal
18 Government's unnecessary red tape; therefore be it

19 RESOLVED, That the House of Representatives of the
20 Commonwealth of Pennsylvania urge the Congress of the United
21 States to direct CMS to reverse its decision and permit
22 Pennsylvanians enrolled in PACE and PACENET to be automatically
23 enrolled in Medicare Part D; and be it further

24 RESOLVED, That the House of Representatives of the
25 Commonwealth of Pennsylvania call upon Pennsylvania's
26 Congressional Delegation to protect Pennsylvania's premier
27 prescription drug plans from Federal bureaucratic overreach by
28 contacting Medicare administrators and encouraging them to
29 reverse their decision; and be it further

30 RESOLVED, That copies of this resolution be transmitted to

1 the President of the United States, to the Centers for Medicare
2 and Medicaid Services, to the presiding officers of each house
3 of Congress and to each member of Congress from Pennsylvania.