

SENIOR HEALTH NEWS

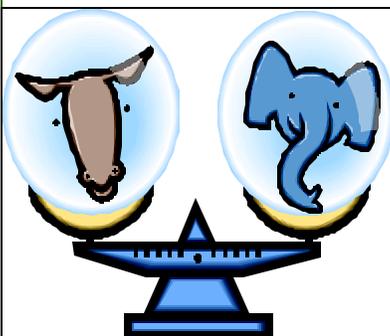
The Pennsylvania Health Law Project Help-Line
1-800-274-3258; TTY 1-866-236-6310

Volume 6, Issue 6

October 2004



Where are the Presidential Candidates on Senior Health Issues?



President Bush and Senator Kerry have spent a lot of time talking about health care issues. In this issue, we present what these two candidates say about a few of the critical healthcare issues affecting seniors, including:

- * Medicare prescription drug coverage
- * Prescription drugs costs
- * Medical Liability Reform

View the
Pennsylvania Health Law Project
Comments on the proposed Medicare
Part D Prescription Drug Benefit
regulations at www.phlp.org.

Inside this Issue:

Election Coverage:

- Medicare Prescription Drug Coverage	3
- Prescription Drug Coverage Costs	4
- Medical Liability Reform	5
New Dual Eligible Brochures	4
Medicare Costs Increase	5

Remember to Vote!

Tuesday

November 2, 2004

Polls Open at 7:00AM

Polls Close at 8:00PM

Go to www.mypollingplace.com if
you need to check on the location
of your polling place.

Need help understanding how to get care for persons with BOTH Medicare and Medical Assistance ?

The Pennsylvania Health Law Project Help-Line
1—800-274-3258; TTY 1-866-236-6310

If yes, then this training is for you! In January 2005, the Pennsylvania Health Law Project will now offer trainings in Bucks, Chester, Delaware, Montgomery, and Philadelphia counties to social services staff working with seniors on how to access services when you have BOTH Medicare and Medical Assistance.

Trainings are being scheduled now for January 2005! Contact Jennifer Nix at (800)274-3258 or jnix@phlp.org to come train your staff on

- ? Accessing medical services for people who are dual eligible
- ? Billing problems for people who are dual eligible
- ? Eligibility for other programs

**The Pennsylvania Health Law
Project Help-Line**
1—800-274-3258; TTY 1-866-

Visit us online at
www.phlp.org !!



Election: Medicare Prescription Drug Coverage

One issue important to seniors is a Medicare Prescription Drug Benefit. Here is what both candidates have said about what they plan to do to cover prescription drugs for Medicare beneficiaries.

George Bush	John Kerry	Concerns
<p>George Bush's plan to provide seniors with Medicare prescription drug coverage is based on the Medicare Modernization Act of 2003, which created Medicare Part D. The Part D program will begin in 2006 and will offer prescription drug coverage for people with Medicare through private insurance companies. People with lower incomes would be able to get some help with the costs of the premiums, co-pays and deductibles. The current law prohibits any negotiation for lower prices on Medicare drugs.</p>	<p>John Kerry's plan to provide seniors with Medicare prescription drug coverage involves allowing seniors to choose whether to get their prescription drug coverage from Medicare or from private insurance companies and having the prescription drug benefit be run by Medicare. Also, Senator Kerry would allow Medicare to negotiate for lower drug prices for Medicare beneficiaries.</p>	<p>Every state and federal healthcare program negotiates volume discounts on prescription drugs. No negotiation over drug costs means higher costs to consumers.</p> <p>While the Medicare drug plan would give drug coverage to some individuals who had none before, lower-income beneficiaries, who got their drugs from Medical Assistance, will have less access and greater costs for drugs under the new Medicare law.</p>



Election: Prescription Drug Costs

One big issue is the cost of prescription drugs. Both candidates have plans that talk about how to lower costs for seniors, as well as what they think of reimportation of prescription drugs.

George Bush	John Kerry
<p>As far as accessing prescription drugs for seniors, President Bush's plan points to the prescription drug benefit added to Medicare.</p> <p>Regarding reimportation, President Bush says that the Medicare Modernization Act authorizes drug reimportation from other countries (like Canada) when they are shown to be safe and effective, but that the FDA has not been able to certify the safety of those imported drugs.</p> <p>He also says that he is leading the fight to bring generics to market quicker</p>	<p>Senator Kerry's plan for lowering the costs of prescription drugs for seniors would require that the pharmaceutical benefit managers who do business with the federal government to clearly show what savings they receive from the industry and from bulk purchasing and will encourage them to pass these savings along to consumers.</p> <p>Regarding reimportation of prescription drugs, Senator Kerry would allow drug reimportation of safe, FDA-approved drugs. He would also give incentives to states to encourage them to obtain better rates for prescription drugs by making their contracts more efficient.</p> <p>Finally, he would seek to end loopholes in patent law that keep cheaper alternatives off the market.</p>

New Brochures Help Consumers Who Have BOTH Medicare and Medical Assistance!

The Pennsylvania Health Law Project has just released three brochures to help people who receive Medicare and Medical Assistance!

People who receive both Medicare and Medical Assistance are often referred to as dual eligible. The brochure "Billing Issues Consumers with both Medicare and Medical Assistance" helps consumers understand what their rights are if they are billed by a medical provider. The two other brochures are "How to Get Health Care Services when You are on Medicare and Medical Assistance- HealthChoices" and "How to Get Health Care Services when You are on Medicare and Medical Assistance- Fee for Service."

These two brochures answer some common questions that people who are dual eligible may have about which providers they can go to. These brochures were produced with the support of The Pew Charitable Trusts. You can get copies of the brochures from our website, www.phlp.org or by calling the Pennsylvania Health Law Project at 1-800-274-3258.



Record Increase in Medicare Costs for 2005!

The cost sharing for Medicare is increasing in 2005. Starting in January 2005, the Part B premium will be \$78.20 per month. The premium in 2004 was \$66.60. This is one of the biggest increases ever for the Part B premium. While you may have heard the increase in the Part B premium is to help fund the upcoming Medicare Prescription drug benefit, which is scheduled to begin in 2006, this is not true. The increase is to cover some of the rising costs in health care, including increasing physician fees. Some of the increase is going to cover payments to the Medicare HMOs that were promised in the Medicare Act of 2003.



Other costs for Medicare are also increasing. The Part B deductible is will be \$110 in 2005. The deductible was \$100 in 2004. The Part A hospitalization deductible will increase as well, from \$876 in 2004 to \$912 in 2005. Also, the co-payments for hospitalization and skilled nursing will increase. In 2004, you would have paid a co-pay of \$109.50 a day if you were in a skilled nursing facility for more than 21 days and less than 100 days. In 2005, that co-pay will be \$114 a day for a skilled nursing facility if you are in one for more than 21 days and less than 100 days. The co-pays for hospitalization will increase as well.

As a reminder, you may be eligible to have your Part B premium paid for by Pennsylvania if your income is below \$1,048 per month if you are single and below \$1,408 per month if you are married, and if your assets are within the limits. If you are eligible, you could save up to \$938 in 2005. If your income is below \$776 per month you may be eligible for even more help. Call the Pennsylvania Health Law Project at 1-800-274-3258 if you think you may be eligible. We can give you more information and help you sign up.

Election: Medical Liability Reform

There has been much talk about whether or not the costs of medical malpractice suits have added to the costs of health care. Both candidates have positions on how they would deal with medical liability issues.

George Bush	John Kerry
<p>President Bush wants to adopt minimum standards for whether a person could bring suit to avoid the costs of frivolous lawsuits.</p> <p>He would also cap awards on pain and suffering at \$250,000.</p>	<p>Senator Kerry would support mandatory sanctions on frivolous lawsuits and would require states to allow non-binding mediation in all cases before a plaintiff goes to trial on a medical malpractice case.</p> <p>Senator Kerry opposes capping damages in medical malpractice suits. He also opposes the award of punitive damages in medical liability cases except upon proof of intentional misconduct, gross negligence, or reckless indifference to life</p>

VOTE!

11.2.04

Polls Open: 7:00AM

Polls Close: 8:00PM



Pennsylvania Health Law Project
924 Cherry Street, Suite 300
Philadelphia, PA 19107