

HENRY A. WAXMAN, CALIFORNIA
CHAIRMAN

JOHN D. DINGELL, MICHIGAN
CHAIRMAN EMERITUS
EDWARD J. MARKEY, MASSACHUSETTS
RICK BOUCHER, VIRGINIA
FRANK PALLONE, Jr., NEW JERSEY
BART GORDON, TENNESSEE
BOBBY L. RUSH, ILLINOIS
ANNA G. ESHOO, CALIFORNIA
BART STUPAK, MICHIGAN
ELIOT L. ENGEL, NEW YORK
GENE GREEN, TEXAS
DIANA DEGETTE, COLORADO
VICE CHAIRMAN
LOIS CAPPS, CALIFORNIA
MIKE DOYLE, PENNSYLVANIA
JANE HARMAN, CALIFORNIA
JAN SCHAKOWSKY, ILLINOIS
CHARLES A. GONZALEZ, TEXAS
JAY INSLEE, WASHINGTON
TAMMY BALDWIN, WISCONSIN
MIKE ROSS, ARKANSAS
ANTHONY D. WEINER, NEW YORK
JIM MATHESON, UTAH
G.K. BUTTERFIELD, NORTH CAROLINA
CHARLIE MELANCON, LOUISIANA
JOHN BARROW, GEORGIA
BARON P. HILL, INDIANA
DORIS D. MATSUI, CALIFORNIA
OONNA CHRISTENSEN, VIRGIN ISLANDS
KATHY CASTOR, FLORIDA
JOHN SARBANES, MARYLAND
CHRISTOPHER MURPHY, CONNECTICUT
ZACHARY T. SPACE, OHIO
JERRY MCNERNEY, CALIFORNIA
BETTY SUTTON, OHIO
BRUCE BRALEY, IOWA
PETER WELCH, VERMONT

JOE BARTON, TEXAS
RANKING MEMBER

ROY BLUNT, MISSOURI
DEPUTY RANKING MEMBER
RALPH M. HALL, TEXAS
FRED UPTON, MICHIGAN
CLIFF STEARNS, FLORIDA
NATHAN DEAL, GEORGIA
ED WHITFIELD, KENTUCKY
JOHN SHIMKUS, ILLINOIS
JOHN B. SHADEGG, ARIZONA
STEVE BUYER, INDIANA
GEORGE RADANOVICH, CALIFORNIA
JOSEPH R. PITTS, PENNSYLVANIA
MARY BONO MACK, CALIFORNIA
GREG WALDEN, OREGON
LEE TERRY, NEBRASKA
MIKE ROGERS, MICHIGAN
SUE WILKINS MYRICK, NORTH CAROLINA
JOHN SULLIVAN, OKLAHOMA
TIM MURPHY, PENNSYLVANIA
MICHAEL C. BURGESS, TEXAS
MARSHA BLACKBURN, TENNESSEE
PHIL GINGREY, GEORGIA
STEVE SCALISE, LOUISIANA

ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

MAJORITY (202) 225-2927
FACSIMILE (202) 225-2525
MINORITY (202) 225-3641

energycommerce.house.gov

October 30, 2009

The Honorable Henry A. Waxman
Chairman
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Given the Speaker's stated intention to vote on a health reform bill as early as next week, it is manifestly important for the Committee of jurisdiction to hold a hearing on H.R. 3962 so Members and the public have an opportunity to understand the legislation and its implications.

Health and Human Services (HHS) Secretary Kathleen Sebelius told us in July that she could not answer questions on the actual legislation before us then (H.R. 3200). At a full Committee hearing in September, she agreed to come back and testify before our Committee on health reform legislation. Now that the bill is available, I propose to accept her offer.

As you know, H.R. 3200 included a government-run health care plan where physicians were to be reimbursed at Medicare's rate plus 5 percent. The new legislation, H.R. 3962, creates a government-run health plan where the Secretary of HHS would be permitted to negotiate rates with providers. However, it seems clear from the legislative language of H.R. 3962 that doctors could, and most likely would, be paid a base rate at Medicare levels and the HHS Secretary would be authorized to pay providers less than the Medicare rate.

It is important for all Members to understand how this vast and unprecedented grant of authority to the HHS Secretary would work and how it would impact doctors and patients.

I also believe Members must understand H.R. 3962's impact on the federal budget deficit. As the President stated, we should not pass a bill that will add to the deficit now or in the future. H.R. 3200 would have added trillions of dollars to the deficit, and also imposed higher health care premiums for the millions of Americans who are currently insured. If rising deficits

Letter to the Honorable Henry A. Waxman
Page 2

and more expensive health insurance are not to be the byproducts of H.R 3962, as well, it is important to know how they can be averted.

I therefore respectfully request you convene a hearing next Wednesday prior to any floor consideration of H.R. 3962 in which Secretary Sebelius and Congressional Budget Office Director Douglas Elmendorf are invited to testify about these critical matters.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe", with a long, sweeping underline that extends to the left and then curves back up towards the right.

Joe Barton
Ranking Member