

Subject: Congress Passes Ryan White - Oct 21 2009

Ryan White HIV/AIDS Treatment Extension Act Passes the U.S. House and U.S. Senate! President has pledged to sign the bill

Wednesday, October 21, 2009

Washington, D.C. - Today, the U.S. House of Representatives voted to approve H.R. 3792 / S. 1793, the "Ryan White HIV/AIDS Treatment Extension Act of 2009". Two days ago, on Monday October 19th, the U.S. Senate voted by unanimous consent (no opposition) to approve the same bill. With the House adopting and voting on the same bill as the Senate, the bill will now be transmitted to the President for his approval. As the White House issued a statement in support of the bill on Monday, approval by the President is all but assured.

While no U.S. Senator voted in opposition to the bill and the bill was approved by unanimous consent, nine Representatives, all Republicans, did vote against Ryan White. Those Congressional Representatives were: Kevin Brady (TX), Paul Brown, (GA), John Duncan (TN), Jeff Flake (AZ), Virginia Foxx (NC), Louie Gohmert (TX), Cynthia Lummis (WY), Ron Paul (TX) and Ted Poe (TX). NAPWA is asking any PLWHA or HIV service organization who may work/reside in any of those Congressional districts to please contact their Member of Congress and inquire why they voted against one of the most important programs for persons living with HIV in the United States.

Major changes contained in the newly passed bill are:

- &#61550; Four year extension of Ryan White
- &#61550; Elimination of five smaller TGAs starting in FY2011
- &#61550; Code-based HIV case counts will not be recognized in three years
- &#61550; Authorizes up to 5% increase in appropriations per year

Desired changes that the HIV community advocated for that are included in the bill:

- &#61550; ADAP rebate dollars would be counted towards a penalty for exceeding the amount of carryover
- &#61550; Change of unobligated penalty was increased from 2% to 5%
- &#61550; Clarification that SONI cannot be used to determined awards
- &#61550; Statement that Part D providers do not have "core medical" requirement

Desired changes that the HIV community advocate for but were not included in the bill:

- &#61550; Allowing food to count as core medical pursuant to doctor's prescription
- &#61550; Allowing medical transportation to count as core medical
- &#61550; Elimination of set authorized funding dollar amounts in bill
- &#61550; Continuation/grandfathering of smaller TGAs