
S 3473

Sequestration Prevention Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Health

Introduced: Aug 1, 2012

Current Status: Read twice and referred to the Committee on Finance.

Latest Action: Read twice and referred to the Committee on Finance. (Aug 1, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/3473>

Sponsor

Name: Sen. Inhofe, James M. [R-OK]

Party: Republican • **State:** OK • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Aug 1, 2012

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
112 HR 6389	Identical bill	Sep 19, 2012: Referred to the Subcommittee on the Constitution.
112 HR 5838	Related bill	Jun 5, 2012: Referred to the Subcommittee on Intellectual Property, Competition and the Internet.
112 HR 5	Related bill	Apr 16, 2012: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 353.
112 HR 3586	Related bill	Dec 14, 2011: Referred to the Subcommittee on the Constitution.
112 HR 1943	Related bill	Jul 11, 2011: Referred to the Subcommittee on Intellectual Property, Competition and the Internet.
112 HR 1099	Related bill	Mar 29, 2011: Referred to the Subcommittee on Africa, Global Health, and Human Rights.
112 HR 157	Related bill	Feb 1, 2011: Referred to the Subcommittee on Health.
112 S 192	Related bill	Jan 27, 2011: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 4.
112 S 218	Related bill	Jan 27, 2011: Read twice and referred to the Committee on the Judiciary.

Sequestration Prevention Act of 2012 - **Title I: Fully Repeal the Sequestration Provision of Round 2 of the Budget Control Act** - Amends the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm--Rudman-Hollings Act), as amended by the Budget Control Act of 2011, to repeal its budget goal enforcement requirements (sequestration mandate).

Title II: Repeal of Health Care Law - Repealing the Job-Killing Health Care Law Act - Repeals the Patient Protection and Affordable Care Act (PPACA), and restores or revives any provisions of law amended or repealed by it as if PPACA had not been enacted.

Repeals title I (Coverage, Medicare, Medicaid, and Revenues) and subtitle B (Health) of title II of the Health Care and Education Reconciliation Act of 2010, and restores or revives any provisions of law amended or repealed by them as if such title and subtitle had not been enacted.

Repeals the Food and Nutrition Act of 2008, including the supplemental nutrition assistance program.

Title III: Nutrition Assistance Block Grant Program - Directs the Secretary of Agriculture (USDA) to establish a nutrition assistance block grant program of annual grants to each participating state that establishes a nutrition assistance program including work requirements, mandatory drug testing, and benefit use limitations at least as restrictive as those for the supplemental nutrition assistance program.

Title IV: Block Grant the Medicaid Program - Directs the Secretary of Health and Human Services (HHS) to establish a Medicaid block grant program of annual grants to each participating state that establishes a medical assistance program for individuals.

Repeals title XIX (Medicaid) of the Social Security Act, and eliminates mandatory direct funding for the existing Medicaid program.

Title V: Reduction of Federal Workforce - Requires the Director of the Office of Management and Budget (OMB) to determine the number of full-time employees employed in each federal agency.

Prohibits the head of each federal agency from hiring more than 2 employees for every 3 employees who leave employment in the agency until the number of full-time employees in the agency is 10% less than the number determined by the OMB Director under this title.

Title VI: Prohibition on Climate Change and Global Warming Funding - Prohibits the expenditure of federal funds for any activity relating to climate change or global warming.

Title VII: Protecting Access to Health Care - Protecting Access to Healthcare Act - **Title I: HEALTH Act** - Help Efficient, Accessible, Low Cost, Timely Healthcare (HEALTH) Act of 2012 - Prescribes requirements for lawsuits for health care goods and services liability claims.

Sets a three-year statute of limitations after the manifestation of injury or one year after the claimant discovers the injury, with certain exceptions.

Limits noneconomic damages to \$250,000. Makes each party liable only for the amount of damages directly proportional to such party's percentage of responsibility.

Allows the court to restrict the payment of attorney contingency fees.

Authorizes the award of punitive damages only where: (1) it is proven by clear and convincing evidence that a person acted with malicious intent to injure the claimant or deliberately failed to avoid unnecessary injury the claimant was substantially certain to suffer, and (2) compensatory damages are awarded. Limits punitive damages to the greater of two times the amount of economic damages or \$250,000.

Limits the liability of manufacturers, distributors, suppliers, and providers of medical products that comply with Food and Drug Administration (FDA) standards.

Provides for periodic payments of future damage awards.

Health Care Safety Net Enhancement Act of 2012 - Amends the Public Health Service Act (PHSA) to deem a hospital or an emergency department and a physician or physician group of that hospital or emergency department to be an employee of the Public Health Service for purposes of any civil action that may arise from providing emergency and post-stabilization services on or after January 1, 2012.

Health Insurance Industry Fair Competition Act of 2012 - Declares that nothing in the McCarran-Ferguson Act (which exempts the insurance business generally from federal regulation) shall modify, impair, or supersede the operation of any of the antitrust laws with respect to the business of health insurance. Applies prohibitions against using unfair methods of competition to the business of health insurance without regard to whether such business is carried on for profit.

Good Samaritan Health Professionals Act of 2012 - Amends the PHSA to declare that a health care professional shall not be liable under federal or state law, with certain exceptions, for harm caused by any act or omission if: (1) the professional is serving as a volunteer for purposes of responding to a disaster; and (2) the act or omission occurs during the period of the disaster, in the professional's capacity as such a volunteer, and in a good faith belief that the individual being treated is in need of health care services.

Places on the plaintiff in any civil action or proceeding against a health care professional the burden of proving by clear and convincing evidence that the limitation of liability under this Act does not apply.

Title VIII: Budget Control Act Spending Cap Adjustments - Amends the Gramm-Rudman-Hollings Act to reenact the requirements for enforcement of discretionary spending limits as they were in effect on January 15, 2012.

Specifies discretionary spending caps for the security category (Budget Function 050, largely Department of Defense [DOD]) and the non-security category for FY2013-FY2022.

Actions Timeline

- **Aug 1, 2012:** Introduced in Senate
- **Aug 1, 2012:** Sponsor introductory remarks on measure. (CR S5880-5882)
- **Aug 1, 2012:** Read twice and referred to the Committee on Finance.