I voted Yes on H.R. 5, the Protecting Access to Healthcare (PATH) Act.

This bill would significantly reform the U.S. healthcare system by instituting comprehensive medical malpractice liability reform and repeal the Independent Payment Advisory Board (IPAB), which was created in the health care law.

Leaders on both sides of the aisle have long called for tort reform as a proven way to lower health care costs and reduce the wasteful practice of defensive medicine. This reform was a glaring omission from the President's health care law and is one I have been calling for since my first days in office. Based on 30-year old California law which has dramatically reduced health care costs and insurance rates for physicians, H.R. 5 would place a $250,000 cap on non-economic damages, limit attorneys' contingency fees, allocate damages fairly and proportionate to fault, and set guidelines for the distribution of punitive damages. Importantly, the PATH Act would not limit economic damages nor pre-empt any existing state law governing damage awards.

The non-partisan Congressional Budget Office estimates that these reforms would reduce insurance premiums by 25%-30% and result $40 billion in savings to the federal budget over 10 years.

The second provision included in H.R. 5 would repeal the Independent Payment Advisory Board (IPAB), which was created in the health care law. IPAB is a board of unelected Presidential appointees charged with identifying cuts to the Medicare program. It would be able to deliberate behind closed doors and its recommendations would have the force of law if specific spending targets set by the Board were not enacted by Congress. This is an unacceptable way for the Administration to get around oversight by Congress .

I am particularly concerned that the scope of cost-cutting measures IPAB could consider are limited and would likely fall disproportionately on physician reimbursement, Medicare Advantage, and prescription drug coverage. New York State is already facing an access-to-care crisis and further cuts to providers could lead to more physicians dropping out of the Medicare program and reduced services at area hospitals. This could in turn lead to reduced care for Upstate seniors.

Although the goal of restraining Medicare spending is strong, IPAB lacks transparency and accountability and is simply a flawed approach. The American people deserve robust Congressional oversight when it comes to Medicare spending and should not be left in the hands of a board of unelected bureaucrats appointed by any President.

H.R. 5 was approved by a vote of 223 - 181 - 4.