

Medicare doctor claims data would be public under new legislation

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Grassley, Wyden Introduce Bill Making Medicare Claims Data Public

WASHINGTON – April 7, 2011 - Sen. Chuck Grassley of Iowa and Sen. Ron Wyden of Oregon today introduced legislation to make Medicare claims data public for the first time. The legislation is the product of the senators' combined efforts – each was working on a method of making the data public and combined approaches in the bipartisan legislation introduced today.

“Medicare is a \$500 billion program with billions of dollars going out in error each year,” Grassley said. “The bad actors are getting bigger and bolder all the time. They’re able to stay out of law enforcement’s reach too often. It’s time to try new things. More transparency about billing and payments increases public understanding of where tax dollars go. The bad actors might be dissuaded if they knew their actions were subject to the light of day.”

“Hiding information on how taxpayer dollars are being spent is not something we do in this country,” Wyden said. “Moreover, if taxpayer dollars are being spent responsibly there is no reason to hide. Shedding light on Medicare claims will be helpful to those making medical decisions, offer insight into how Medicare dollars are being spent and prevent wasteful spending and fraud. All of which begs the question ‘why isn’t this information already available?’”

Last month, Grassley introduced legislation requiring the Department of Health and Human Services to make Medicare claims and payment data available to the public in a manner similar to other federal spending disclosed on www.USAspending.gov.

Wyden was developing an approach to make the data public through the federal Freedom of Information Act.

The joint bill, called the *Medicare Data Access for Transparency and Accountability Act (Medicare DATA Act)*, contains both elements. The bill would require the Secretary of Health and Human Services to issue regulations to make available a searchable Medicare payment database that the public can access at no cost. The bill also clarifies that data on Medicare payments to physicians and suppliers do not fall under a

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Freedom of Information Act exemption.

Grassley and Wyden said health care fraud remains a pervasive problem in federal health care programs. It has been widely agreed that between 5 percent to 8 percent of federal health care expenditures is lost to fraud.

In a recent series, The Wall Street Journal used limited access to Medicare billing data to identify suspicious billing patterns and potential abuses of the Medicare system. The Wall Street Journal found cases where Medicare paid millions to a physician, sometimes for several years, before those questionable payments stopped. While volume alone doesn't automatically mean there's fraud, waste, or abuse, accountability and transparency are powerful preventive tools, Grassley and Wyden said.

Grassley and Wyden serve together on the Senate Finance Committee, which has jurisdiction over Medicare. Grassley is a senior member and former chairman and ranking member. Toward the cause of transparency and good government, Grassley and Wyden earlier this year achieved success in their long-time effort to end the Senate practice of placing "secret" holds on legislation.

The text of their legislation introduced today is available [here](#) . Grassley's statement on the bill introduction is available [here](#) .

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