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OCA's five Affiliate  
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to our affiliate  
members!

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PLATINUM  
GOLD  
SILVER  
BRONZE

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# A Note from the President For Doctors by Doctors

"A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty."  
Winston S. Churchill

The last four years have been very difficult on the association due to the pandemic measures. We lost a lot of good doctors in the state, many retired and as a result we lost a significant portion of our membership.

Last year was considered a rebuilding year and with the guidance of Dr. Todd Turnbull as president, we added membership but still not to the levels of pre pandemic. As president my goal is to increase membership by 10% in 2024, by making you all more aware of all the behind-the-scenes accomplishments by this board of directors. We intend to be more visible at both convention and online with mobilize to make you aware of what we are working on to benefit the association and the profession.

My reason for applying to the OCA board of directors was to improve our relations with the insurance carriers in the area by negotiating better reimbursement for our services. Although we have no influence with CMS/Noridian due to federal budgets, we did get progress with Moda, Pacific Source (improved reimbursement), and Regence (to at least stop the cuts for 2023 and 2024). Now with the help of SecureCare, we hope that Cambia/Regence will accept their contract once the Evicore contract terms this year. SecureCare presented an executive summary that was very impressive. We will keep you updated on this progress.

The goal this year is to focus on growth and value which is only accomplished by everyone contributing. We have multiple committees that many of you served on in the past. We will continue to welcome input from membership and welcome interested members to serve on those committees again.

I am open to ideas and want to hear from our membership. Many of you I worked with the last two years as the insurance relationship committee chair, with fixing insurance issues so you could get paid and in a timely manner. I will continue to make this a priority as President, but we need to represent a higher majority of doctors in the state. So please spread the word to any of your colleagues who are not members that we need their help. I look forward to seeing all of you and hopefully talk with you at Convention. Save the dates April 26<sup>th</sup>- 28<sup>th</sup>.

Thank you,

Together we are aligned.

Dr. Michael Arnot, D.C.





## A Message from Jan

### OCA Office updates by Jan Ferrante, Office Manager

The office staff is gearing up for **Spring convention 2024 being held once again at the Sheraton Portland Airport, April 26-28th**. We have lots of wonderful speakers and a wide variety of topics again this year that will be presented at sessions all weekend. Please take time to review all the information in this issue regarding the speakers and sessions and get signed up to join us over that weekend. In addition, we are having a Casino Night again on Friday April 26<sup>th</sup> in the Garden room & foyer of the hotel. You can sign up to attend when you register for convention. That event is a fun evening with Wild Bills Casino Services while enjoying some food, beverages and comradery, sponsored by the Gatti Law Firm again this year.

We also have our vendor hall shaping up as well to bring you services and products to consider for your practices. If you have a preferred vendor that you would like to see at our event, please reach out to them and have them contact us at the OCA office so we can give them that opportunity to exhibit.

Each year we are required by the IRS to notify our members as to the % of dues paid that is NOT tax deductible due to lobbying. For 2023 that was 12%. We have already notified our members in other formats by email and posted it in our OCA member center as well. We want to thank our members for their continued support. We also want to ask others in the

profession to take time to consider the OCA membership and join us in 2024 if you are not already part of the OCA who is always working on behalf of our members and the profession in Oregon **"to keep ALL OF US in practice"**.

The OCA has been hosting monthly webinars for CE on a number of topics over the past months. Most recently we have partnered with Carrick Institute of Florida to bring you Dr. Harcourt on Migraine Management in December, then on Feb. 6<sup>th</sup> Dr. Freddys Garcia on Pain Reset. In addition, Dr. Mark Gabriel, of the Wellness Centers, presented a course in Cultural Competency in January. Some of these presentations are now available in our online CE library but not all of them are being recorded because they are "live webinars" and we want people attending, when possible, for the both the support of the speaker and to enable questions to be asked by those in attendance.

Lastly, I want to say a **big THANK YOU to Michael Smith, Attorney** from the Gatti Law Firm in Salem, who retired at the end of 2023. Mike has always been a supporter of this association. He has served as our legal counsel for many years and he was an instrumental part of the merging of the two prior associations back in 2008. Thank you, Mike for your service to the OCA and this profession. We wish you all the best in your retirement.

**"TOGETHER WE ARE ALIGNED".**

# 2024 OCA Board Members

## OFFICERS



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## BOARD MEMBERS



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District 3



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District 3



# THE DANGERS OF BILLING UNDER ANOTHER PROVIDER'S NPI NUMBER

By: Dr. Ray Foxworth, CHUSA President

Recently, in a Facebook group, the question arose about whether it was okay for the associate doctor in a practice to bill for services under the owner's NPI number. The range of responses surprised me and made me aware that many providers largely misunderstand the rules and regulations regarding billing. Medical billing is a crucial aspect of healthcare administration, ensuring that healthcare providers receive proper reimbursement for their services and avoid potential billing fraud.

**Fraud and Misrepresentation:** One of the primary dangers of billing under another provider's NPI number is the potential for fraud and misrepresentation. When an individual or organization uses a different NPI number to bill for services, they misrepresent themselves as the provider. This can lead to wrongful reimbursement claims, inflated bills, and ultimately defraud insurance companies, government programs, and patients.

**Legal Consequences:** Billing under another provider's NPI number is unethical and illegal. The False Claims Act and Anti-Kickback Statute, among other healthcare fraud laws, explicitly prohibit fraudulent billing practices. Those caught engaging in such activities can face severe legal consequences, including fines, imprisonment, and the loss of their professional licenses. On October 24, 2023, after its self-disclosed conduct to OIG, VIZIA Diagnostics, LLC f/k/a Robert S. Smith, Inc. (VIZIA), Georgia, agreed to pay \$701,209.50 for allegedly violating the Civil Monetary Penalties Law. OIG alleged that VIZIA submitted false claims to Federal health care programs for pathology laboratory services using a physician's name and NPI number who did not furnish the services. (OIG, 2023)

**Damage to Reputation:** Healthcare providers work diligently to build trust with their patients and communities. Billing under another provider's NPI number not only jeopardizes the financial integrity of healthcare systems but also damages the reputation of the legitimate provider. Patients may lose trust in the healthcare system if they discover fraudulent billing practices, which can ultimately deter them from seeking necessary medical care.

**Erosion of Data Accuracy:** Accurate billing is essential for tracking healthcare services and outcomes and making informed decisions regarding patient care. Billing under another provider's NPI number can disrupt the accuracy of healthcare data, making it challenging to assess the effectiveness of treatments, identify patterns, and allocate resources appropriately. This erosion of data accuracy can ultimately compromise the quality of healthcare delivery.

However, the government generally permits one provider's services to be billed under the name and NPI of another provider in two circumstances: first, where the services of auxiliary personnel (including both physicians and non-physician practitioners) are billed "incident to" the professional services of a physician, second, where the services of a substitute physician are billed under the regular, but unavailable, physician's name and NPI temporarily ("locum tenens" and "reciprocal billing" arrangements). The "incident to" billing rules have strict requirements and only apply to certain services. Failure to strictly comply with the requirements for each billing arrangement could subject providers to significant liability under the False Claims Act. (Shah, Esq & Swain, 2022)

Billing under another provider's NPI number is a practice that undermines the integrity of the healthcare system, jeopardizes patient trust, and poses legal and financial risks. Healthcare professionals must be diligent in detecting and preventing such fraudulent activities. By upholding ethical billing practices and maintaining the integrity of the NPI system, we can ensure that healthcare resources are used efficiently and transparently, ultimately benefiting patients and the entire healthcare community.

*Dr. Ray Foxworth, DC, FICC, is founder and CEO of ChiroHealthUSA. For over 35 years, he worked "in the trenches" facing challenges with billing, coding, documentation, and compliance, in his practice. He is a former Medical Compliance Specialist and currently serves as chairman of The Chiropractic Summit, an at-large board member of the Chiropractic Future Strategic Plan Committee, a board member of the Cleveland College Foundation, and an executive board member of the Foundation for Chiropractic Progress. He is a former Staff Chiropractor at the G.V. Sonny Montgomery VA Medical Center and past chairman of the Mississippi Department of Health.*



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## OCA MISSION-VISION-PHILOSOPHY STATEMENT / Revised 2023

### MISSION

It is the OCA's mission to promote chiropractic as a safe and effective discipline and to defend the practice rights of chiropractic physicians.

The OCA is committed to supporting our members with professional education, clinical and business expertise and building a strong chiropractic community to best serve the people of Oregon. We affirm the essential right of each patient to unrestricted access to chiropractic care to enhance the body's natural healing ability.

### VISION

The vision of the OCA is to provide an inclusive platform for Oregon DCs that promotes unity without uniformity within our profession. We believe that only by emphasizing and honoring our shared goals and values may we come together with the voice of a powerfully aligned profession around interests that we hold in common. When our profession speaks in strong, unified and clear voice, we can most effectively educate the public, business, and regulators to the critical role of chiropractic to the health of Oregonians.

### PHILOSOPHY

The OCA embraces chiropractic as a unique healthcare discipline that focuses on the restoration of health by promoting the innate recuperative and restorative powers of the human body, without the use of unnecessary drugs or surgery. The OCA is committed to maintaining chiropractic's unique identity as a neurology-based healing art developed from a vitalistic, philosophical foundation.

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F.A.C.S., F.R.C.S. (C), D.A.B.N.S.

*Fellow*

American College of Surgeons (Canada)

*Diplomate*

American Board of Neurological Surgery

Dr. Darrell Brett has been an active and very busy neurosurgeon in Portland for 40 years—once performing 750 operative cases a year including level II trauma surgery on the brain and spine. His focus now is solely on the spine—still trauma, but mainly MVA and work injuries. His special interest is cervical arthroplasty-artificial disc replacement (see [cervicaldisc.com](http://cervicaldisc.com)).

He lives in Lake Oswego with his wife of 28 years and 14 yr old daughter. His interests include boating, skiing, fishing, bird hunting, golf and piano. He and his wife and 4 children are enjoying traveling as he begins a transition to a somewhat reduced schedule over the next several years.



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Dr. Kendrick Khoo earned his medical degree from the Ohio State University College of Medicine. After completing his orthopedic surgery residency at UCSF Fresno in California, Dr. Khoo underwent an additional year of fellowship training in spine surgery at University of California Davis.

Dr. Khoo utilizes evidence-based medicine and a shared decision-making approach to offer patients better outcomes and long-term viable solutions.

Outside of seeing patients, Dr. Khoo enjoys going on road trips and cooking new recipes with his wife and son.



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# ANNUAL CONVENTION

April 26-28  
2024

## Venue Details:

**Sheraton Portland Airport**  
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2024 Spring Convention**

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## Friday Speakers & Fun



**Adam Klotzek**  
DC, DACNB, FACFN  
*Neurology*



**Garreth MacDonald**  
DC, CCST  
*MVA/Trauma*



**Simon Agger**  
DC  
*Nutrition*



**Bev Harger**  
DC, DACBR  
*Radiology*



**Bridge City Law**  
*Personal Injury*



**Deed Harrison**  
DC  
*Evidence Based*



**LaVerne Saboe, JR**  
DC  
*Documentation*



**Dr. Macson Lee, OD**  
*Neuro-Optometry*



**Be sure to join us for CASINO NIGHT**  
**6:00 to 8:30 PM in The Garden Room**

## Saturday Speakers



OREGON CHIROPRACTIC ASSOCIATION

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**Karen Konarski-Hart  
DC**  
*Geriatrics & Opioids*



**Trevor Berry  
DC**  
*Neurology*



**Kathy Mills Chang  
MCS-P, CCPS**  
*Billing, Coding  
& Medicare*



**Laura Newsom  
Attorney**  
*Workers Comp*



**Laura Swingen, DC  
DACNB**  
*Functional Neurology*



**Glen Zielinski, DC  
DACNB, FAFN, CBIS**



**Kendrick Khoo  
MD**  
*Surgical Evaluations & Management*



**Darrell Brett  
MD Emeritus**

## Sunday Speakers



**Gatti Law Firm**  
*Personal Injury*



**Mark Gabriel  
DC**  
*Cultural Competency*



**Debra Darmata**  
*OHA Zero Suicide  
Suicide Intervention  
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If you have any questions,  
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# CONVENTION SCHEDULE

Friday April 26, 2024		CASCADE ROOM	Mt ADAMS ROOM	GARDEN ROOM
Scan in for CE				
8:10 - 10:00 AM	TOPIC	NUTRITION	MVA/TRAUMA	NEUROLOGY
	SPEAKER- ADDITIONAL INFO	Simon Agger, DC Advanced Concepts in Anti-inflammatory Nutrition	Garreth MacDonald, DC, CCST “Crash Course in PI” Part 1	CARRICK INSTITUTE Adam Klotzek, DC, DACNB, FACFN “The ABC’s of Neurology” Pt. 1
	FOR C.E.	DCs	DCs, CAs & STAFF	DCs
BREAK	MT HOOD – VENDOR HALL BREAK 10-10:30 AM			
10:30 - NOON	TOPIC	DOCUMENTATION	MVA/TRAUMA	NEUROLOGY
	SPEAKER- ADDITIONAL INFO	Laverne Saboe, Jr, DC, DACAN Documenting permanent injuries of the cervical spine	Garreth MacDonald, DC, CCST “Crash Course in PI” Part 2	CARRICK INSTITUTE Adam Klotzek, DC, DACNB, FACFN “The ABC’s of Neurology” Pt. 2
	FOR C.E.	DCs	DCs, CAs & STAFF	DCs
Scan out for CE				
LUNCH	LUNCH NOON - 1:30 PM			
	Scan in for CE			
1:40 - 3:30 PM	TOPIC	EVIDENCE BASED	RADIOLOGY	NEURO-OPTOMETRY
	SPEAKER- ADDITIONAL INFO	Deed Harrison, DC "Biomechanics of the Sagittal Plane" Part 1 Sponsored by CBA Seminars	Bev Harger, DC, DACBR Hip & Knee focus on MRI and Pelvis & Lower Extremity Case Studies Sponsored by NCMIC	Macson Lee, OD "Visual Function after a Brain Injury"
	FOR C.E.	DCs	DCs	DCs
BREAK		BREAK 3:30-4 PM		ROOM CLOSED
4:00 - 6:00 PM	TOPIC	EVIDENCE BASED	PERSONAL INJURY	
	SPEAKER- ADDITIONAL INFO	Deed Harrison, DC "Biomechanics of the Sagittal Plane" Part 2 Sponsored by CBA Seminars	Bridge City Law Panel The Practice of Care: A Chiropractors Guide	
	FOR C.E.	DCs	DCs, CAs & STAFF	
Scan out for CE				
6:00 - 8:30 PM	CASINO NIGHT - GARDEN ROOM 6 - 8:30 PM			





Saturday April 27, 2024		CASCADE ROOM	Mt ADAMS ROOM	GARDEN ROOM
Scan in for CE				
8:10 -10:00 AM	TOPIC	GERIATRICS/ CULT COMP	NEUROLOGY	OFFICE POLICIES, PROCEDURES & MEDICARE
	SPEAKER- ADDITIONAL INFO	Karen Konarski-Hart, DC, DABCO, MSDPEM, FICC <i>The Pig in the Python Part 1</i> <i>Sponsored by: NCMIC</i>	Trevor Berry, DC, DACNB <i>The Mind Body Connection Part 1</i> <i>Sponsored by: Erchonia</i>	Kathy Mills Chang, MCS-P, CCPS <i>“Chiro-practical Compliance” for Success: Part 1</i> <i>Sponsored by: Foot Levelers</i>
	FOR C.E.	DCs	DCs	DCs, CAs & STAFF
BREAK	BREAK 10 - 10:30AM			
10:30 - NOON	TOPIC	GERIATRICS/ CULT COMP	NEUROLOGY	OFFICE POLICIES, PROCEDURES & MEDICARE
	SPEAKER- ADDITIONAL INFO	Karen Konarski-Hart, DC, DABCO, MSDPEM, FICC <i>The Pig in the Python Part 2</i> <i>Sponsored by: NCMIC</i>	Trevor Berry, DC, DACNB <i>The Mind Body Connection Part 2</i> <i>Sponsored by: Erchonia</i>	Kathy Mills Chang, MCS-P, CCPS <i>“Chiro-practical Compliance” for Success: Part 2</i> <i>Sponsored by: Foot Levelers</i>
	FOR C.E.	DCs	DCs	
Scan out for CE				
LUNCH	LUNCH NOON - 1:15 PM			
Scan in for CE				
1:45 - 3:45 PM	TOPIC	OPIOID & FENTANYL /NARCAN	NEUROLOGY	OFFICE POLICIES, PROCEDURES & MEDICARE
	SPEAKER- ADDITIONAL INFO	Karen Konarski-Hart, DC, DABCO, SDPEM, FICC <i>Overdose recognition, action and resources</i> <i>Sponsored by: NCMIC</i>	Trevor Berry, DC, DACNB <i>The Mind Body Connection Part 3</i> <i>Sponsored by: Erchonia</i>	Kathy Mills Chang, MCS-P, CCPS <i>“Chiro-practical Compliance” for Success: Part 3</i> <i>Sponsored by: Foot Levelers</i>
	FOR C.E.	DCs	DCs	DCs, CAs & STAFF
BREAK	BREAK 3:45:- 4:15 pm			
4:15 - 6:00 PM	TOPIC	WORKERS COMP	NEUROLOGY	MEDICAL & SURGICAL MGMT
	SPEAKER- ADDITIONAL INFO	Laura Newsom, Attorney <i>Sponsored by: Gatti Law Firm</i>	Laura Swingen, DC, DACNB Glen Zielinski, DC, DACNB <i>“Dysautonomia and POTS”</i>	Darrell Brett, MD Emeritus Kendrick Khoo, MD <i>Cerv Radiculopathy-Surgical Mgmt”</i> <i>“Surgical evaluation of the Lumbar”</i>
	FOR C.E.	DCs, CAs & STAFF	DCs	Dcs
Scan out for CE				
HOSPITALITY		VIP / HOSPITALITY SUITE 6:00 - 8:00 PM	DIAMOND & PLATINUM by Invitation 6:00 - 8:00 PM	

Sunday April 28, 2024		CASCADE ROOM	Mt ADAMS ROOM	GARDEN ROOM
Scan in for CE				
8:10 -10:00 AM	TOPIC	PERSONAL INJURY	CULTURAL COMPETENCY	
	SPEAKER- ADDITIONAL INFO	Gatti Law Firm	Mark Gabriel, DC	
	FOR C.E.	DCs	DCs, CAs & STAFF	
BREAK	BREAK 10 - 10:30AM			
10:30 - NOON	TOPIC	PERSONAL INJURY	SUICIDE INTERVENTION TRAINING	
	SPEAKER- ADDITIONAL INFO	Gatti Law Firm	Debra Darmata OHA Zero Suicide	
	FOR C.E.	DCs	DCs, CAs & STAFF	
Scan out for CE				



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## ***The OCA has a YouTube channel!***



Stay current on our plans, actions and the news that affects you and our profession here in Oregon. The channel name is simple; just search Oregon Chiropractic Association and hit subscribe. In our newest video, you'll learn about the recent updates in our Worker's Comp legislation. As you know - we've been fighting to get our Permanent Type A Physician status back. This would allow us to manage a work comp patient for the life of the claim and no longer rely on referrals after 18 visits or 60 days. Head over and check it out! <https://www.youtube.com/@OregonChiro>



## **Welcome New Affiliate**



**Visit us at our booth at the April Convention**



# Oregon Legislative Update

## Legislative Update

By Vern Saboe Jr., DC., DACAN, FICC., DABFP, DACO  
OCA Lobbyist



**Workers' Compensation OCA's Bill HB-3150** Return of full attending physician status to Doctors of Chiropractic – Primary lobbying focus leading up to the **2025 long legislative session**. Again, legislators will not hear complicated legislative concepts during the **short 35-day session**.

I continue to schedule appointments with members of our state legislature gathering co-sponsors of our Workers' Compensation legislation in 2025, returning full attending physician statues to Dcs.

I still need colleagues helping with examples of poor care more times than not, received at the local occupational medical clinic. **STEERING**, many have described human resource person at the patient's workplace suggests to their injured worker/patient they were told at work they must present at one of the local occupational medical clinics. The suggestion is, or the injured worker is told, they have no choice in direct violation of Oregon law. Most injured workers/employees are concerned about being terminated from their job if they do not comply and as such simply do what they are told.

**Oregon Health Plan** to expand to **200% of the Federal Income Poverty Level July 2024**. This is going to capture nearly half? the state of Oregon's population meaning, they will be eligible for the Oregon Health Plan.

**Opioid Harm Reduction State of Oregon Settlement Funds and Possible Chiropractic Research Grant Monies.** The State of Oregon has received **\$325 million in opioid settlement funds**. I attended a workshop in Washington, DC, presented in part by **Michele Maiers, DC., MPH., PhD.**, on strategies our state could use to gain grants for research that could benefit the chiropractic profession and I am working with **Tony Rosner, PhD.**, research head at **UWS** in hopes of getting some grants going via the Oregon Health Authority where the money went. Here are some recommendations I produced following the workshop as per grants asking for monies to perform the following,

Increase awareness of chiropractic non-pharmacological interventions, e.g., chiropractic lay public awareness program a DC's training, treatment interventions and networking with medical providers.

Develop CEs for prescribing medical professionals and educational series on chiropractic physicians training, treatment interventions, and most appropriate cases to refer.

Study why many non-prescribers such as doctors of chiropractic refuse to see Oregon Health Plan patients? The low reimbursement, pre-authorization, mandatory referrals as barriers. Study State of Oregon evidence-based, "Coverage Guidance" and "Guidelines" and subsequent disordinate care, care that is not following these management recommendations, prevalence, direct, indirect costs, and recommendations to address these issues.

**Chiropractic Medicare Modernization Act** We now have 156 members of Congress **co-sponsoring** our bills, **HR-1610** (House versions, 147 cosponsors) and **S-799** (Senate version, 9 cosponsors). This federal legislation will be a game changer for the chiropractic profession as it defines doctors of chiropractic as ***“physicians.”*** What this will do for you my valued colleagues, our patients, and the profession I love include the following.

Medicare will be required to reimburse us for all our services that are currently covered under Medicare. Our examinations, X-rays, Lab interpretations, physiotherapy modalities, diet and lifestyle counseling, rehabilitative services, therapeutic exercises, therapeutic procedures. Everything that is within our scope of license to provide that Medicare currently reimburses for we will be reimbursed for as well. Additionally, our maximum allowable charges will all be increased due to our being defined as physicians in federal law.

Doctors of Chiropractic will also be eligible to participate in a whole host of federal healthcare related programs we currently are excluded from. These include but are not limited to, the federal workers compensation system, federal motor carrier safety regulations, civilian health & medical program of the uniformed services (CHAMPUS), Indian health care, federal railroad administration, department of transportation, family & medical leave act, quality improvement organizations, private insurance adopting Medicare policies.

**We are very, very close** considering the following as per where we are at with our bill. **156** members of Congress are cosponsoring our Medicare bill and this number will continue to grow.

**28** of 43 members on the **House Ways & Means Committee** are all co-sponsors.

Chair of the House Ways & Means Committee, **Congressman Jason Smith (MO)** was the Co-Chief Sponsor of our Medicare bill the previous congressional session!

**1080** bills are in the Ways & Means Committee, only **37** of these have over **100** co-sponsors or more. Our Medicare Bill is the 13<sup>th</sup> highest ranking bill.

Only **11** of these bills have bipartisan support, H.R. 1610 has almost equal numbers of Democratic & Republican sponsors. We are close colleagues, very close.



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