



Health legislation has a big impact on the practice of family medicine – and most bills are highly technical and political. While you are the experts on technical issues, and legislators are skilled at politics, we'd like *you* to understand the legislative process; how *does* a bill become a law? The more you know how the process works, the better you'll be at affecting the outcome.

How Does a Bill Get Introduced?

Anyone can draft a bill; however, only members of Congress can introduce one. When a legislator introduces a bill, it is assigned a number and referred to a committee (e.g., HR 235 or S 355).

What Is the Role of Committees?

Most bills are referred to committees in the House or Senate. The major health-related committees are the House Energy and Commerce Committee; the House Ways and Means Committee; the Senate Finance Committee; the Senate Health, Education, Labor and Pensions (HELP) Committee; and the Appropriations Committees in both houses. In addition, the House committees have Health Subcommittees that usually consider health legislation before the full committees.

Where Do Subcommittees Fit In?

Often, bills are referred to a subcommittee for study and hearings. Hearings provide the opportunity for the executive branch, experts, other public officials, and supporters and opponents of the legislation to get their views on the record. Members of the subcommittees generally have a keen interest and expertise in the subject, e.g, health.

What Is a “Subcommittee Markup?”

When the hearings are completed, the subcommittee may meet to "markup" the bill; that is, to make changes and amendments before voting on whether to pass the bill onto the full committee.

What Happens Next?

After receiving a subcommittee's report [I believe only committees write reports] on a bill, the full committee can conduct further hearings or study, or it can vote on the recommendations and amendments in a full committee markup. Following the markup, the committee votes on the legislation and sends it to the House or Senate.

Does the Bill Go Right to the Floor?

After a bill is reported by the committee to the House or Senate, it is placed on the calendar. The Speaker in the House and the Majority Leader in the Senate determine if, when, and in what order bills come up for a vote.

Debate: When a bill reaches the floor of the House or Senate, there are rules or procedures governing the debate. These rules determine the conditions and amount of time allocated for to

discuss the bill. In the House, the rules will often determine which amendments are in order. In the Senate, major legislation usually requires a minimum of 60 votes, which are needed to override a threatened “filibuster” or extended debate. The vote to prevent or close off a filibuster is called a vote for cloture.

Voting: After the debate and votes on any amendments, the bill passes or fails.

How Do the Bills Move to the Other Chamber?

After the House or Senate passes a bill, it is referred to the other chamber where it usually follows the same route through committee and floor action, outlined above.

What Is the Role of the Conference Committee?

If the other chamber makes only minor changes to a bill, generally, it will go back to the first chamber and the original chamber can vote to accept the other chamber’s minor changes. However, when the other chamber changes the bill significantly, legislators form a conference committee to reconcile the differences between the House and Senate versions. If the conferees are unable to reach agreement by the end of the Congressional term, the legislation dies. If agreement is reached, legislators write a conference report that describes the various changes. Then, both the House and the Senate must approve the conference report.

After a Vote on the Conference Report, Does the Bill Go to the President?

After the both the House and the Senate vote on the conference report, it is sent to the President. If the President approves of the legislation, he (or she) signs it and it becomes law. If the President takes no action for ten days (while Congress is in session,) it automatically becomes law.

If the President opposes the bill, the President can veto it. Alternatively, the President has the option of exercising a “pocket veto.” The President takes no action after Congress has adjourned and the legislation dies.

Can’t Congress Override a Veto?

Yes. If the President vetoes a bill, Congress can attempt to "override the veto." This requires a two thirds roll call vote of the members who are present.

As you can see, there are many opportunities through the legislative process for family doctors, like you, to influence health-related bills. We urge you to stay informed and use Speak Out to make your voice heard.

Sincerely,
Erica Fischer
Grassroots Advocacy Specialist.