Repeal the Medical Device Excise Tax
HR 523/S 232

Please cosponsor the Protect Medical Innovation Act (HR 523) and the Medical Device Access and Innovation Protection Act (S 232).

A key provision in the Affordable Care Act, which requires that a 2.3% excise tax on medical devices be collected at the point of sale, took effect in January 2013. This new tax is levied in addition to the sales tax currently being placed on such devices. A large number of healthcare providers, including oral and maxillofacial surgeons, utilize many of the devices and supplies subject to this tax on a daily basis.

The medical device tax was originally intended to raise revenue from the medical device industry to help pay for the cost of the health reform law’s expanded access to care. Because the tax is added to the price of the device at the point of sale, device manufacturers will simply incorporate the tax into the price of the device, thereby shifting that cost to purchasing healthcare providers. According to published data, at least 40 medical supply and device manufacturers have formally stated that they are passing the cost of the medical device excise tax on to providers. As a result, healthcare providers – including oral and maxillofacial surgeons – and patients will bear the brunt of this provision’s financial impact; an outcome that is readily observable in the marketplace. This unintended consequence runs in direct opposition to many of healthcare reform’s intended and fundamental goals.

Numerous medical supply and device manufacturers are passing the cost of the device tax on to providers.

Healthcare providers and patients will bear the brunt of this provision’s financial impact.

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Key Points:
- HR 523 sponsored by Rep. Erik Paulsen (R-MN); 271 cosponsors
- S 232 sponsored by Sen. Orrin Hatch (R-UT); 39 cosponsors
- Bipartisan legislation
- March 21, 2013 – bipartisan group of 79 Senators supported language to repeal the device tax in a symbolic, nonbinding vote as part of the chamber’s FY2014 budget resolution

Supported By:
- American Dental Association
- American Hospital Association
- Dental Trade Alliance
- Medical Imaging & Technology Alliance
- National Federation of Independent Business

For more information:
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Medical Device Excise Tax

Cosponsors (271) as of 3/24/2014

COSPONSORS(271), ALPHABETICAL

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Rep. Young, Todd C. [R-IN-9]

S 232 - Medical Device Access and Innovation Protection Act

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