

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, January 14, 2019

Congressional Schedule

Senate

- Senate meets 3 pm

House

- House meets at noon; votes expected 6:30 pm

Legislative Update

- **Week in Review**

- *Sanders, Dems unveil sweeping bills to lower drug prices.* “Sen. Bernie Sanders (I-Vt.), joined by several Democratic colleagues, on Thursday unveiled three bills to lower prescription drug prices, part of a new push from progressives to act on the issue. Sen. Cory Booker (D-N.J.) joined Sanders, along with other Democrats, at the press conference. Both Booker and Sanders are potential 2020 presidential contenders.”
 - Read more: <https://thehill.com/policy/healthcare/424750-sanders-dems-unveil-sweeping-bills-to-lower-drug-prices>
- *Ten Dem lawmakers added to the House Ways and Means Committee.* “House Ways and Means Committee Chairman Richard Neal (D-Mass.) announced late Wednesday the names of 10 Democratic lawmakers who have been appointed to the powerful panel, which has jurisdiction over tax, trade and health care issues. The Democratic lawmakers are: Reps. Gwen Moore (Wis.), Dan Kildee (Mich.), Brendan Boyle (Pa.), Don Beyer (Va.), Dwight Evans (Pa.), Tom Suozzi (N.Y.), Jimmy Panetta (Calif.), Stephanie Murphy (Fla.), Brad Schneider (Ill.) and Steven Horsford (Nev.). They will join the 14 returning House Democrats who have already been serving on the committee.”
 - Read more: <https://thehill.com/policy/finance/424650-ten-dem-lawmakers-added-to-house-ways-and-means-committee>
- *House Dems call on leadership to prioritize opioid epidemic.* “More than 60 House Democrats are urging leadership to make the opioid crisis a top priority in the new Congress. The Democrats said Congress should dedicate more funding

and staff to addressing the crisis, which killed 47,600 people in 2017. Congress passed a massive bill last session increasing access to treatment and recovery, but Democrats and some Republicans wanted more funding for the crisis.”

- Read more: <https://thehill.com/policy/healthcare/424538-house-dems-call-on-leadership-to-prioritize-opioid-epidemic>
- **3 GOP lawmakers side with House Democrats on Texas ACA case intervention.** “In a 235-192 vote, the House of Representatives voted in favor of a standalone resolution affirming the House Counsel’s authorization to intervene as a defendant in the Affordable Care Act lawsuit to secure its protections for people with pre-existing conditions. Of the lone three GOP members to break from their party and support the resolution – Reps. Tom Reed (N.Y.), John Katko (N.Y.) and Brian Fitzpatrick (Pa.) – the latter two represent districts carried by former Democratic presidential nominee Hillary Clinton in 2016.”
 - Read more: <https://morningconsult.com/2019/01/09/3-gop-lawmakers-side-with-house-democrats-on-texas-aca-case-intervention/>
- **Grassley says not in favor of government negotiating with companies on drug prices.** “The new Republican chairman of the Senate Finance Committee squashed Democratic hopes Wednesday of passing a proposal to allow the government to negotiate directly with drug companies to lower prescription drug prices. Sen. Chuck Grassley (R-Iowa) told reporters he would pursue legislation to lower drug prices, but will not pursue the Democratic proposal on negotiations.”
 - Read more: <https://thehill.com/policy/healthcare/medicare/424623-grassley-says-not-in-favor-of-government-negotiating-with>
- **Dems demand answers on Trump short-term insurance plans.** “House and Senate Democrats want answers about the Trump administration’s decision to expand the availability of short-term insurance plans that are not required to meet ObamaCare requirements. The letter sent Tuesday is the third time Democratic health care leaders have written to the administration about the short-term plan proposal, but the first time since Democrats took control of the House. Lawmakers said they have yet to receive all of the information and answers they requested.”
 - Read more: <https://thehill.com/policy/healthcare/424366-democrats-demand-answers-on-trump-short-term-insurance-plans>
- **Dem chairman requests CBO report on design of single-payer bill.** “House Budget Committee Chairman John Yarmuth (D-Ky.) on Tuesday requested information from the Congressional Budget Office (CBO) about single-payer health care proposals, a step forward in consideration of the idea. In a letter to the CBO, Yarmuth requested a report on the ‘design and policy considerations lawmakers would face in developing single-payer health system proposals.’ Getting input from the CBO is an important step forward for consideration of single-payer health care, sometimes also known as ‘Medicare for all.’ The idea has gained new momentum with Democrats taking control of the House.”

- Read more: <https://thehill.com/policy/healthcare/424310-dem-chairman-requests-cbo-report-on-design-of-single-payer-bill>
 - *Sen. Kyrsten Sinema, Republicans move to repeal Obamacare tax on insurers.* “Sen. Kyrsten Sinema, a freshman Democrat, and two Republicans filed a bill Thursday that would repeal Obamacare’s tax on health insurers, saying the levy increases premiums and should be scrapped permanently. Insurers have lobbied furiously against the health insurance tax, or ‘HIT,’ saying they must pass along the tax to consumers. As a result, Congress has acted repeatedly to stave off the tax, which is poised to return in 2020.”
 - Read more: <https://www.washingtontimes.com/news/2019/jan/10/kyrsten-sinema-republicans-move-repeal-obamacare-t/>
- **Week Ahead**
 - *Drug prices to take center stage in first House Oversight hearing.* “The House Oversight and Reform Committee will hold a hearing to examine drug price increases later this month, the committee’s first since Democrats took control of the House. In a statement, Oversight and Reform Committee Chairman Elijah Cummings (D-Md.) said the hearing will serve to launch a ‘broad review of the skyrocketing prices of prescription drugs.’”
 - Read more: <https://thehill.com/policy/healthcare/424803-drug-prices-to-take-center-stage-in-first-oversight-committee-hearing>

Regulatory and Administration Update

- *Trump summons advisers to White House over drug price hikes.* “President Donald Trump has summoned top officials for a White House meeting on drug prices, frustrated over a new round of price hikes after Trump promised to lower pharmaceutical costs, two individuals with knowledge told POLITICO. Health and Human Services Secretary Alex Azar, Council of Economic Advisers Chairman Kevin Hassett and acting White House chief of staff Mick Mulvaney are among officials set to meet with the president Tuesday, one individual said. HHS did not immediately respond to requests for comment. The White House did not immediately respond to a request for comment.”
 - Read more: <https://www.politico.com/story/2019/01/08/trump-summons-advisers-drug-price-hikes-1068652>
- *FDA plans to create a new office to leverage cutting-edge science.* “The Food and Drug Administration plans to create a new office to improve the review of new medicines – one that will develop a standardized approach to using personalized medicine, digital data, and patients’ own reports, according to Commissioner Scott Gottlieb. Gottlieb will outline the plan for the new 52-person group, called the Office of Drug Evaluation Science (ODES), as part of a talk at the annual J.P. Morgan Healthcare Conference on Tuesday.”
 - Read more: <https://www.statnews.com/2019/01/07/fda-plans-to-create-a-new-office-to-leverage-cutting-edge-science/>

- ***All seven of the FDA's recent commissioners agree it should be independent – but not on how to accomplish it.*** “Nearly every person who’s run the Food and Drug Administration in recent history agrees the agency should break free from its political supervisors – a rare consensus from commissioners who served under Republican and Democratic administrations alike. In two papers published Monday, all seven of the FDA’s most recent commissioners wrote that the current setup – in which the agency is a mere subdivision of the Department of Health and Human Services – interferes with the ability of its scientists to protect the health of the public. They described a situation in which a tangled web of responsibilities, along with political overseers who aren’t necessarily motivated by science, all make it harder for the FDA to keep people safe.”
 - Read more: <https://www.statnews.com/2019/01/07/former-fda-commissioners-agree-agency-independence/>
- ***Trump wants to bypass Congress on Medicaid plan.*** “The Trump administration is quietly devising a plan bypassing Congress to give block grants to states for Medicaid, achieving a longstanding conservative dream of reining in spending on the health care safety net for the poor. Three administration sources say the Trump administration is drawing up guidelines on what could be a major overhaul of Medicaid in some states. Instead of the traditional open-ended entitlement, states would get spending limits, along with more flexibility to run the low-income health program that serves nearly 75 million Americans, from poor children, to disabled people, to impoverished seniors in nursing homes.”
 - Read more: <https://www.politico.com/story/2019/01/11/trump-bypass-congress-medicaid-plan-1078885>
- ***FDA says most food inspections halted amid shutdown.*** “The Food and Drug Administration (FDA) says it has suspended all routine domestic food facility inspections amid the partial government shutdown. FDA Commissioner Scott Gottlieb told The Washington Post that he is putting together a plan to resume inspections of facilities that are deemed ‘high-risk.’ The agency, which oversees the majority of the country’s food supply, typically conducts roughly 160 routine inspections per week, the Post reported.”
 - Read more: <https://thehill.com/homenews/administration/424562-fda-says-most-food-inspections-have-been-halted-amid-shutdown>

Articles of Interest

- ***A path forward for increasing kidney transplantation: A statement from the National Kidney Foundation (NKF).*** “Nearly 680,000 Americans have irreversible kidney failure, or end-stage renal disease (ESRD), and need dialysis or a kidney transplant. More than 475,000 ESRD patients receive dialysis at least three times per week to replace kidney function. Nearly 100,000 Americans are on the waitlist for a kidney transplant right now. Depending on where a patient lives, the average wait time for a kidney transplant can be upwards of three to seven years. The National Kidney Foundation is calling on Congress and the Administration to make organ transplantation a top priority and has identified several critical areas to be addressed from a legislative and regulatory standpoint. These priorities will create a strategic and effective path forward towards

increasing the number of kidney transplants and decreasing the number of patients who die waiting.”

- Read more: <https://www.prnewswire.com/news-releases/a-path-forward-for-increasing-kidney-transplantation-300776980.html>
- ***Chamber of Commerce CEO vows to ‘use all our resources’ to fight single-payer proposals.*** “Thomas Donohue, the president and CEO of the Chamber of Commerce, on Thursday vowed to use all of the Chamber’s resources to fight single-payer health care proposals. The Chamber is one of the most powerful lobbying groups in Washington, and it routinely spends more than any other industry in its efforts, according to Open Secrets.”
 - Read more: <https://www.thehill.com/policy/healthcare/424722-chamber-of-commerce-ceo-vows-to-use-all-of-its-resources-to-fight-single>
- ***As the 2020 campaign kicks off, Democrats scramble to prove their leadership on lowering drug costs.*** “As they jostle to position themselves for 2020, many Democratic presidential hopefuls have suddenly zeroed in on a narrow policy target: prescription drug prices. In the Senate, no fewer than six Democrats – including five of the men and women most likely to follow Sen. Elizabeth Warren into the 2020 race – have stepped out on the issue of drug pricing in just the past month, ramping up their anti-industry remarks and attaching their names to legislation that aims to bring down pharmaceutical prices.”
 - Read more: <https://www.statnews.com/2019/01/11/2020-democrats-scramble-to-prove-leadership-on-drug-prices/>
- ***Drug pricing advocates to spend \$1M on ads supporting Trump proposal.*** “A drug pricing advocacy group on Thursday announced a roughly \$1 million ad campaign to boost a Trump administration proposal to align American drug prices with those in other wealthy nations, providing an outside boost to a policy concept that the drug industry has vocally opposed. The same advocacy group, Patients for Affordable Drugs, spent \$10 million via its political arm to endorse midterm election candidates it said were working to lower drug costs – and to oppose candidates it said were in bed with industry.”
 - Read more: <https://www.statnews.com/2019/01/10/drug-pricing-advocates-ad-campaign-for-trump/>
- ***Drug overdose deaths among women aged 30-64 years – United States, 1999-2017.*** “The drug epidemic in the United States continues to evolve. The drug overdose death rate has rapidly increased among women, although within this demographic group, the increase in overdose death risk is not uniform. From 1999 to 2010, the largest percentage changes in the rates of overall drug overdose deaths were among women in the age groups 45–54 years and 55–64 years; however, this finding does not take into account trends in specific drugs or consider changes in age group distributions in drug-specific overdose death rates. To target prevention strategies to address the epidemic among women in these age groups, CDC examined overdose death rates among women aged 30–64 years during 1999–2017, overall and by drug subcategories (antidepressants, benzodiazepines, cocaine, heroin, prescription opioids, and synthetic opioids, excluding methadone).”

- Read more: <https://www.cdc.gov/mmwr/volumes/68/wr/mm6801a1.htm>
- ***Democrats' health care ambitions meet the reality of divided government.*** "Now that Democrats control the House, their ambitions are meeting up with reality. With the Senate in Republican hands and President Trump having promised to repeal the ACA, Democrats' ability to make sweeping health policy changes is limited. Instead, they'll likely rely on hearings and turn to the courts to try to influence health policy and shore up the ACA."
 - Read more: <https://www.npr.org/sections/health-shots/2019/01/09/683055963/democrats-health-care-ambitions-meet-the-reality-of-divided-government>
- ***Judge dismisses opioid crisis lawsuits against drugmakers.*** "A Connecticut judge has dismissed lawsuits against Purdue Pharma and two dozen other drug companies brought by 37 cities and towns in the state, which blame them for the opioid crisis and seek to recoup millions of dollars spent on emergency response and other services. Judge Thomas Moukawsher in Hartford Superior Court ruled Tuesday that the lawsuits were not allowed because they were not government enforcement actions, such as those filed under consumer protection and public health laws. Instead, the judge said the lawsuits were filed as 'ordinary civil cases' seeking money damages for the 'indirect harm' from the opioid crisis."
 - Read more: <https://www.apnews.com/7caee70d513f4e4bbead124055f0c328>
- ***US medical marketing reaches \$30 billion, drug ads top surge.*** "Ads for prescription drugs appeared 5 million times in just one year, capping a recent surge in U.S. medical marketing, a new analysis found. The advertisements for various medicines showed up on TV, newspapers, online sites and elsewhere in 2016. Their numbers soared over 20 years as part of broad health industry efforts to promote drugs, devices, lab tests and even hospitals. The researchers estimated that medical marketing reached \$30 billion in 2016, up from \$18 billion in 1997. Spending on consumer-focused ads climbed fastest. But marketing to doctors and other health professionals still grabbed the biggest share with the bulk of it paying for free drug samples."
 - Read more: <https://www.apnews.com/f44a7baa710d458ca50edd66affc1b91>
- ***DOJ asks for extension in ObamaCare lawsuit due to shutdown.*** "The Department of Justice (DOJ) is asking a federal judge to pause all briefings related to a motion filed by House Democrats in an ongoing ObamaCare lawsuit, saying they cannot complete their work properly due to the government shutdown. Assistant Attorney General Jody Hunt said DOJ lawyers 'are unable to prepare their opposition at this time due to the lapse in appropriations.' The motion was filed on Friday but appeared in the docket on Monday."
 - Read more: <https://thehill.com/policy/healthcare/424141-doj-asks-federal-judge-for-extension-in-obamacare-lawsuit-due-to-shutdown>
- ***CDC: Flu numbers on the rise as 13 children die.*** "According to a new study by the Center for Disease Control (CDC), the number of flu cases is on the rise as children have died from the illness this year. According to the report, 19 states, including Kentucky

and Indiana, have seen high levels of flu activity this flu season. With the number of flu cases on the rise, so are the number of deaths from the flu in children, now at 13.”

- Read more: <https://local12.com/health/health-updates/flu-numbers-on-the-rise-cdc-says-as-13-children-die>
- ***More nurses providing primary care where MDs in short supply.*** “A growing number of nurse practitioners are providing primary care in rural and low-income U.S. communities where the physician workforce is shrinking, a new study suggests. Nationwide, primary care doctors outnumber nurse practitioners (NPs) by a wide margin, with almost 244,000 physicians in this field as of 2016 compared with about 123,000 NPs in primary care. That’s up from about 226,000 doctors and 59,000 NPs providing primary care in 2010. But the primary care physician workforce is flatlining. From 2010 to 2016, the number of available doctors declined by 0.02 for every 100,000 people in the U.S. population while the number of working nurse practitioners increased by three for every 100,000 people.”
 - Read more: <https://www.reuters.com/article/us-health-rural-nurses/more-nurses-providing-primary-care-where-mds-in-short-supply-idUSKCN1P22A7>
- ***Drugmaker Eli Lilly to start publishing list prices of drugs.*** “Drugmaker Eli Lilly on Tuesday began posting price information online for drugs it advertises on TV. The company began running TV ads for Trulicity, a popular diabetes drug, which don’t give price info but direct viewers to a new website or a toll-free telephone number where they can learn about the list price, average out-of-pocket costs and patient assistance programs. The company set a deadline by the end of February to do the same for the other medicines advertised on TV.”
 - Read more: <https://thehill.com/policy/healthcare/424436-drugmaker-eli-lilly-to-start-publishing-list-prices-of-drugs>