

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, December 12, 2016

Congressional Schedule

House and Senate

- Not in session. Both chambers return for the start of the 115th Congress on Jan. 3. The Senate will continue to hold pro forma sessions to preclude recess appointments. (CQ)

Legislative Updates

- ***Senate Passes Stopgap Funding Bill, Averting Shutdown.*** “The Senate on Friday passed legislation to fund the federal government until April 28, avoiding a government shutdown by less than an hour. The measure passed 63-36 after a group of disgruntled Democrats backed away from their threats to block or delay the funding measure because of a dispute over healthcare benefits for retired miners. President Obama signed the bill in the early morning hours Saturday, the White House said in a statement. The legislation marks the final major business of the 114th Congress and caps the first two years of Sen. Mitch McConnell’s (R-KY) tenure as Senate majority leader.”
 - For the full article: http://thehill.com/blogs/floor-action/senate/309788-senate-passes-stopgap-funding-bill-averting-shutdown?utm_source=&utm_medium=email&utm_campaign=5332
- ***Sessions AG Confirmation Hearing Set for January.*** “The confirmation hearing for Sen. Jeff Sessions to be attorney general will run for two days starting Jan. 10, Senate Judiciary Chairman Charles E. Grassley of Iowa announced Friday. Grassley limited the length of the hearing, having said previously that he wants to head off Democratic attacks on the Alabama Republican’s character. He said prior confirmation hearings for attorney general nominees lasted one or two days and featured three to nine outside witnesses at each. That’s half the number of days that Democrats sought for a Sessions confirmation hearing. Sen. Dianne Feinstein of California, the committee’s incoming ranking member, and other Democrats wrote a letter to Grassley in late November that asked for four days to thoroughly air the background of their colleague and former prosecutor who seeks to be the nation’s top law enforcement officer. With vocal opposition to Sessions’ nomination from progressive advocacy groups, the hearing looks to be contentious. Democrats asked for time to examine Sessions’ record on immigration,

violence against women, LGBT protections, racial justice, hate crimes, workers' rights, voting rights, criminal justice and other issues."

- See more at: http://www.rollcall.com/news/sessions-confirmation-attorney-general?utm_name=newsletters&utm_source=rollcallheadlines&utm_medium=email#sthash.0orWXdKW.dpuf
- ***After Health-Care Repeal Vote, Some In GOP Fear A Cliff.*** "Republicans are eagerly planning initial votes next month on dismantling President Barack Obama's health care law, a cherished GOP goal. But many worry that while Congress tries to replace it, the party will face ever-angrier voters, spooked health insurers and the possibility of tumbling off a political cliff. Republicans have said they first want to vote to unwind as much of the health care law as they can, though it wouldn't take effect for perhaps three years. That's to give them and new President Donald Trump time to write legislation constructing a new health care system - a technically and politically daunting task that has frustrated GOP attempts for unity for years. Many congressional Republicans worry they'd be vulnerable during the transition period between a repeal vote and actually replacing Obama's law with a new system. Twenty million people now covered would face uncertainty about their future benefits, while unsettled health insurers might quickly start boosting premiums or stop selling policies in some areas to protect themselves."
 - http://hosted.ap.org/dynamic/stories/U/US_HEALTH_OVERHAUL_GOP_RISK?SITE=AP&SECTION=HOME&TEMPLATE=DEFAULT&CTIME=2016-12-12-03-29-38
- ***Medicare Looms over Trump-Ryan Alliance.*** "President-elect Donald Trump and Speaker Paul Ryan (R-Wis.) could be on a collision course over Medicare. Ryan is defending his long-standing proposal to make the program more reliant on private plans, arguing such a change is necessary to keep Medicare fiscally sustainable. But Trump said repeatedly during the campaign that he wanted to protect Medicare, not overhaul it. Vice President-elect Mike Pence reiterated that position on Sunday. Given the possible resistance from Trump, and even from Senate Republicans, it is unclear how hard Ryan will push for Medicare changes next year, despite his clear desire to overhaul the program."
 - Read more: <http://thehill.com/policy/healthcare/308907-medicare-looms-over-trump-ryan-alliance>
- ***Senate passes bill that allows ESRD patients to choose Medicare Advantage plans.*** "The 21st Century Cures Act was approved by the Senate Dec. 7 by a vote of 94-5. The legislation, which addresses funding for the National Institutes of Health, and makes regulatory changes to the U.S. Food and Drug Administration, also includes a provision that would allow end-stage renal disease patients to choose Medicare Advantage plans. The bill passed through the House of Representatives on Nov. 30 by a 392-26 margin. "In addition to the highly coordinated care available through MA plans, enrollees experience lower out-of-pocket health care costs," wrote Kidney Care Partners chair Franklin W. Maddux, MD, in a letter to representatives. "Because many Medicare ESRD beneficiaries are under the age of 65, in most states these beneficiaries do not have the option of purchasing a Medigap policy to help defray co-payment obligations and cost

sharing, which can be significant. Many MA plans offer reduced cost sharing, which would be an invaluable benefit for ESRD beneficiaries.’’

- Read more: <http://www.nephrologynews.com/senate-passes-bill-allows-esrd-patients-choose-medicare-advantage-plans/>
- Additional articles from:
 - Kaiser Health News: <http://khn.org/news/senate-approves-landmark-mental-health-bill-as-part-of-21st-century-cures-act/>
 - Reuters: <http://www.reuters.com/article/us-usa-health-senate-idUSKBN13W2KX>
 - Healthcare Dive: <http://www.healthcarediver.com/news/cures-bill-passes-senate/431891/>
- Hrant Jamgochian, chief executive of Dialysis Patient Citizens (DPC), wrote: "We hope insurers will embrace this opportunity to serve dialysis patients and offer them the care-coordination services and lower cost sharing that are not available in traditional Medicare."
 - Their full press release: http://www.dialysispatients.org/sites/default/files/DPC%20release%20MA%20passage%20FINAL%202012.7.16.docx_.pdf

Regulatory Updates

- ***CMS Releases Changes to the End-Stage Renal Disease (ESRD) Facility Claim (Type of Bill 72X) to Accommodate Dialysis Furnished to Beneficiaries with Acute Kidney Injury (AKI).*** The summary of changes, including an update to provider education requirements, can be found here: <https://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/Downloads/R1759OTN.pdf>
 - Further details are available here: <https://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/2016-Transmittals-Items/R1759OTN.html?DLPage=1&DLEntries=10&DLSort=1&DLSortDir=descending>
- ***Building A System That Works: The Future Of Health Care.*** Health and Human Services (HHS) Secretary Burwell wrote an article in "Health Affairs" outlining her vision for the future of healthcare. She touts collaboration with stakeholders in advancing crucial delivery system reform efforts, including ongoing Center for Medicare and Medicaid Innovation (CMMI) initiatives.
 - For the full article: <http://healthaffairs.org/blog/2016/12/12/building-a-system-that-works-the-future-of-health-care/>
- ***GAO Report - Medicare Value-Based Payment Models: Participation Challenges and Available Assistance for Small and Rural Practices.*** "Based on a review of literature and interviews with 38 stakeholders, the Government Accountability Office (GAO) identified challenges faced by small and rural physician practices when participating in Medicare's new payment models. These models, known as value-based payment models, are intended to reward health care providers for resource use and quality, rather than volume, of services."

- For the highlights of the report:
http://www.gao.gov/assets/690/681544.pdf?utm_medium=email&utm_source=govdelivery
- For the full report: <http://www.gao.gov/assets/690/681541.pdf>
- **GAO Report - Prescription Drug Labels: Actions Needed to Increase Awareness of Best Practices for Accessible Labels for Individuals Who are Blind or Visually Impaired.**
“About 7.4 million Americans are blind or visually impaired and may face difficulty reading prescription drug container labels. FDASIA required the U.S. Access Board to develop best practices for accessible labels and NCD to conduct an informational campaign on these best practices. NCD should assign responsibility for conducting campaign activities and evaluate these activities. NCD neither agreed nor disagreed with the recommendation but indicated that it is taking steps to address this issue.”
 - For the highlights of the report: <http://www.gao.gov/assets/690/681549.pdf>
 - For the full report: <http://www.gao.gov/assets/690/681550.pdf>

Articles of Interest

- **Nephrology Training Programs a Hard Sell.** “This year's nephrology fellowship match numbers are out, and here is the take away: meh. Although the big career day for physicians is Match Day, a spring ritual for 4th year students, fellowship programs run separate "matches" and these latest numbers come from this month's nephrology match - - run by the National Resident Matching Program, the same folks that run the spring Match Day. According to numbers released Wednesday by the American Society of Nephrology (ASN), there were 467 nephrology fellowship positions offered in the match for 2017, of which 284, or 60.8%, were filled. This is similar to last year, when 59.2% of nephrology slots were filled through the match. To those looking for good news, here it is: the 2017 number represents an end to the steady decline in the fill rate that occurred since 2009, when 94.8% of the 367 nephrology slots in the match were filled. Those numbers, however, have to be placed into context, according to Kurtis Pivert, data science officer at the ASN, in Washington. "Many of these [unfilled] positions are filling in the scramble (or post-Match period)," he wrote in an email to MedPage Today. For example, "For the current academic year, there were 466 positions offered in the Match, of which 190 were left unfilled. However, on July 1, 2016, 435 1st-year nephrology fellows began training."
 - Read more:
http://www.medpagetoday.com/PublicHealthPolicy/MedicalEducation/61930?xid=NL_MBstandard_2016-12-08&eun=g939522d0r
- **Health Insurers List Demands if Affordable Care Act Is Killed.** “The nation’s health insurers, resigned to the idea that Republicans will repeal the Affordable Care Act, on Tuesday publicly outlined for the first time what the industry wants to stay in the state marketplaces, which have provided millions of Americans with insurance under the law. The insurers, some which have already started leaving the marketplaces because they are losing money, say they need a clear commitment from the Trump administration and congressional leaders that the government will continue offsetting

some costs for low-income people. They also want to keep in place rules that encourage young and healthy people to sign up, which the insurers say are crucial to a stable market for individual buyers. The demands are a sort of warning shot to Republicans. While the party is eager to repeal the law as quickly as possible, and many have promised a replacement, its members are sharply divided over what shape any new plan should take. If they do not come up with an alternative, more than 22 million people would be left uninsured, including the more than 10 million who have bought individual plans on state marketplaces.”

- Read more: <http://www.nytimes.com/2016/12/06/business/health-insurers-obamacare-republicans.html?ref=business&r=0>
- ***Study: Uninsured Rate Could Rise Above Pre-ObamaCare Levels Under Repeal.***

“Repealing the Affordable Care Act would drive the nation’s uninsured population to levels even higher than before the law went into effect, according to an Urban Institute study released Wednesday. The number of uninsured people would more than double, increasing by 29.8 million people by the end of President-elect Donald Trump’s first term, with the biggest impact hitting lower-income families, the nonpartisan analysis found. The 50-page study, written by several leading healthcare researchers, offers the most comprehensive projections yet on a post-ObamaCare landscape in the wake of Trump’s election. The research is based on the GOP’s repeal bill from 2015, which would strike down the law’s mandates, subsidies and Medicaid expansion but leave in place some non-budget related provisions. It does not predict how Republicans would replace the law, citing a lack of “consensus” on alternative plans. Instead, it underscores the potentially damaging effects of the GOP’s repeal plan without a replace.”

 - Read more: <http://thehill.com/policy/healthcare/309153-study-uninsured-rate-could-rise-past-pre-obamacare-levels-under-repeal>
- ***These High Schoolers Are Learning To Nurse By Practicing On Real Patients.***

“Patience is just one of the skills the Gaithersburg High School senior is learning through a partnership between her school and Ingleside at King Farm, a Rockville retirement community that has a nursing home on site. The intensive program, in its second year at Gaithersburg High, is training a dozen students to become certified nursing assistants and geriatric nursing assistants. The four-day-a-week course, which takes place outside school hours, combines 88 hours of classroom learning with 60 hours of clinical training, and it includes working with actual residents at Ingleside. The goal is to prepare students for a career in health care, whether that means eventually going on to study medicine or beginning work as a certified nursing assistant, geriatric assistant or home health aide immediately out of high school. The program, which was first implemented from 1999 to 2005 at Eleanor Roosevelt High School in Prince George’s County, was started by William Leahy, a neurologist who is now on Ingleside’s board of directors. He hopes to expand it to the District and Northern Virginia by next fall. Students don’t pay tuition; it is funded by a foundation that Leahy started, and the course is taught by Linda Hall, a nursing professor at Montgomery College’s Workforce Development and Continuing Education division.”

 - Read more: <https://www.washingtonpost.com/local/social-issues/these-high-schoolers-are-learning-to-nurse-by-practicing-on-real->

[patients/2016/12/05/d71afb4e-b8cd-11e6-a677-b608fbb3aaf6_story.html?utm_term=.277253ad9af8](https://www.cdc.gov/patients/2016/12/05/d71afb4e-b8cd-11e6-a677-b608fbb3aaf6_story.html?utm_term=.277253ad9af8)

- **CDC: U.S. Falling Short In 3 "Winnable" Health Battles.** "Progress in the U.S. against obesity, food poisoning, and the spread of infections in hospitals has been uneven and disappointing, despite dedicated efforts to fight these health threats by the nation's top public health agency. The Centers for Disease Control and Prevention (CDC) issued a frank self-assessment Monday of its campaign to focus on certain health problems, an effort it called "winnable battles." While there have been clear successes in areas like smoking and teen pregnancy, other areas have seen little change or even gotten worse. Particularly disappointing is the battle against childhood obesity, said Dr. Tom Frieden, the CDC's director."
 - Read more: <http://www.cbsnews.com/news/obesity-smoking-hospital-infections-cdc-falling-short/>

Events

- **Tuesday, January 24th at 1:00 pm.** HHS, National Institutes of Health (NIH) (F.R. Page 89122) holds a meeting of the National Institute of Nursing Research to discuss program policies and issues.
 - The meeting will be held at NIH, 31 Center Drive, 6th Floor, C Wing, Room 6, Bethesda, Md. For more information, contact Marguerite Littleton Kearney at 301-402-7932 or marguerite.kearnet@nih.gov.