

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, February 13, 2017

Congressional Schedule

House

- “Convenes at 2 p.m. for the consideration of four veterans bills under suspension of the rules.” (CQ)
 - **Week Ahead:** “On Tuesday, the House convenes at noon to consider a bill (H.R. 428) on surveying the boundary along the Red River in Oklahoma and Texas. Later this week the House is expected to take up five "disapproval resolutions" to roll back rules undertaken during the Obama administration.” (CQ)

Senate

- “Convenes at noon and following leader remarks, will resume consideration of the nomination of Steven Mnuchin to be secretary of the Treasury. A roll call vote is expected at 7 p.m. followed by a vote on David Shulkin to be secretary of Veterans Affairs.” (CQ)

Legislative Updates

- **Week Ahead:**
 - **Price Takes Charge at HHS.** “Tom Price has been confirmed as Secretary of Health and Human Services, setting the stage for action on ObamaCare to heat up. Republicans have pointed to regulatory moves that Price can make on his own as a key part of their ObamaCare strategy. President Trump has also said that he'd put forward his own healthcare plan shortly after Price was confirmed. But it is still unclear what exactly will end up happening. Trump said Friday that his administration is getting down to the "final strokes" on healthcare. Price will now be overseeing the Department of Health and Human Services (HHS) as the administration works on a new "market stabilization" regulation. That effort is being closely watched by insurers and other healthcare players for any signals it will send on how officials will handle ObamaCare in the interim period before it is repealed. Another key official to serve under Price will have a confirmation hearing on Thursday, when the Senate Finance Committee considers the nomination of Seema Verma to be head of the Centers for Medicare and Medicaid Services (CMS). Verma is sure to be grilled by Democrats over her

views on Medicaid, given that she has helped several states make conservative changes to the program. CMS also oversees ObamaCare, which would put Verma in the center of the ongoing fight over the healthcare law. The House is looking to get moving on its ObamaCare legislation with committee votes in early March and passage by the full chamber by the end of that month. But that is an ambitious timeline and many details still need to be worked out. Conservatives have become more vocal in calling for the process to move quickly to ensure that the repeal timeline does not slip. A major unanswered question, though, is what will happen to the expansion of Medicaid under ObamaCare. Republican senators from states that accepted the expansion have begun meeting to try to figure out a path forward.”

- See more at: <http://thehill.com/policy/healthcare/318984-week-ahead-price-takes-charge-at-hhs>
- ***GOP Fights ObamaCare PR War.*** “Republicans are facing a new public relations war in their effort to repeal and replace ObamaCare. The GOP Congress has repeatedly approved legislation to repeal ObamaCare, but those proposals went nowhere with President Obama in the White House. Now that Republicans also hold the White House, the challenge for the GOP is taking the long-promised action in a way that won’t backfire politically. And that’s turning out to be harder than many anticipated. Polls show the public is divided on whether to repeal ObamaCare, which doesn’t make the task of unraveling one of the largest social programs passed in recent history any easier.
 - See more at: <http://thehill.com/policy/healthcare/319015-gop-fights-obamacare-pr-war>
- ***Key Conservative Lawmaker Opens Door to Obamacare Insurer Payments.*** “The chairman of the House Freedom Caucus said he would be open to making payments to insurers in 2018, agreeing to support a provision of Obamacare over which House Republicans had sued the Obama administration. Rep. Mark Meadows (R-N.C.) said he may be open to funding the reinsurance and cost-sharing reduction payments under the Affordable Care Act during a short-term transition period away from the health care law toward a more conservative alternative. The Freedom Caucus’s approval of these programs could ease their passage through Congress. “Those items, while they’re very significant on a year-over-year appropriations bill, is a minor component when you’re looking at a smoother transition,” Meadows told reporters Wednesday at an event at the Heritage Foundation. “I’m probably a little bit more moderate on those issues as long as we really have a long-term plan of how we’re going to make sure that we re-establish the market.” Republican lawmakers have not approved appropriations for reinsurance payments or cost-sharing reductions under the law. A federal judge ruled in favor of House Republicans last year, saying the Obama administration had unconstitutionally funded the programs.”
 - See more at: <https://morningconsult.com/2017/02/08/key-conservative-lawmaker-opens-door-obamacare-insurer-payments/>

- *Week in Review:*
 - *D.C. Week: Senate Confirms Price for HHS Job.* “The U.S. Senate finally approved Rep. (and orthopedic surgeon) Tom Price, MD (R-Ga.), to lead the Department of Health and Human Services (HHS), while President Trump's pick for VA Secretary, David Shulkin, MD, heads to the Senate floor. In the wee hours of Friday morning, after 30 hours of rancorous debate, the Senate voted 52-47 to confirm the nomination of Rep. Tom Price, MD (R-Ga.), as HHS Secretary.” Meanwhile, the Senate Committee on Veterans Affairs voted unanimously to send the nomination of David Shulkin, MD, as Department of Veterans Affairs Secretary to the Senate floor. A confirmation vote is expected on Monday (February 13th).”
 - To read more: http://www.medpagetoday.com/Washington-Watch/Washington-Watch/63082?xid=nl_mpt_DHE_2017-02-13&eun=g939522d0r&pos=1
 - *Sen. Mike Lee: House Proposal to Replace Obamacare a ‘Horrible Idea’:* “Utah Republican Sen. Mike Lee on Wednesday criticized a House proposal to include provisions that would “replace” the 2010 health care law in a repeal measure, calling it “a horrible idea. If we load down the repeal discussion with what comes next, I think it’s going to make it a lot harder to get either one of them done,” Lee said during a reporter briefing sponsored by The Heritage Foundation. “We need to repeal it first before deciding what comes next. I think there is a lot of agreement among Republicans in Congress with regard to the repeal bill. There is a lot less agreement on what comes next.” His comments come as House Republican leaders are emphasizing an ambitious agenda to include several “replacement” plans in that repeal measure, done through the budget reconciliation process, including provisions that would expand the use of health savings accounts, fund high-risk pools, and put in place tax credits for people who purchase insurance on the individual market, according to congressional aides, lobbyists and other sources off Capitol Hill. House Speaker Paul D. Ryan is even making the case directly for including some revisions to the Medicaid program in the reconciliation measure. The plan would likely include transitioning to a “per beneficiary allotment” system that would be very similar to a per-capita grant approach, which provides funding to states directly tied to enrollee populations, according to lobbyists.”
 - See more at: http://www.rollcall.com/news/mike-lee-obamacare-house-proposal?utm_name=newsletters&utm_source=rollcallheadlines&utm_medium=email#sthash.tN8eTdwu.dpuf
 - *Senate Confirms Sessions as Attorney General.* “The Senate voted Wednesday night to confirm Sen. Jeff Sessions (R-Ala.) as attorney general, capping a vicious debate that left Democrats and Republicans alike seething at times. No Republicans went against Sessions in the 52-47 vote. Sen. Joe Manchin (D-WV) was the only Democrat to back Sessions. While Republicans broke out into applause after the vote closed, Democrats largely stood silently. A handful of Democratic senators – including Manchin, Sen. Joe Donnelly (D-IN) and Bob Menendez (D-NJ) – went over and shook Sessions's hand after the vote. Sen.

Tom Carper (D-DE), who didn't support Sessions, hugged him on the Senate floor. The fight over Sessions escalated this week, when Sen. Elizabeth Warren (D-MA) read a letter that Coretta Scott King had written in 1986 that accused Sessions, a U.S. attorney at the time nominated for a federal judgeship, of using the power of his office to prevent blacks from voting. Senate Majority Leader Mitch McConnell (R-KY) objected to Warren's speech, saying she had impugned another member of the Senate. In a 49-43 vote, the Senate agreed, preventing Warren from speaking on the Senate floor on Wednesday."

- For more: <http://thehill.com/blogs/floor-action/senate/318608-senate-confirms-sessions-as-attorney-general>

Regulatory Updates

- **GAO Report: Medicaid Managed Care: Improved Oversight Needed of Payment Rates for Long-Term Services and Supports.** "The Government Accountability Office (GAO) released a report on Medicaid, which provides long-term care to states' most vulnerable populations, such as the elderly or disabled. On average, community-based care costs less than at a nursing facility or other institution—and many people prefer it. States are increasingly paying for long-term care through managed care programs, paying based on set, monthly rates. How states structure these rates—aligning incentives to minimize cost and maximize service—is critical to enhancing community-based care. GAO released recommendations on better oversight of the data used to set payment rates, as well as the rates' effect on care and other outcomes."
 - For more information: http://www.gao.gov/products/GAO-17-145?utm_medium=email&utm_source=govdelivery
 - For the full recommendations, please visit: <http://www.gao.gov/assets/690/681946.pdf>
- **Trump Sued Over '1-in-2-out' Regulations Order.** "Liberal groups are taking legal action against an executive order from President Trump that directs federal agencies to repeal two regulations for each new rule they issue. The Natural Resources Defense Council (NRDC), the Communications Workers of America (CWA) and Public Citizen on Wednesday sued Trump in the U.S. District Court for the District of Columbia seeking to block the so-called 1-in-2-out executive order. The groups argue that Trump's Jan. 30 order exceeds his authority under the Constitution and will block important health, safety and environmental protections without taking the benefits of those rules into account."
 - For the full article: http://thehill.com/regulation/318457-trump-sued-over-1-in-2-out-regulations-order?utm_source=&utm_medium=email&utm_campaign=6147
- **CROWNWeb New User Training.** "CROWNWeb New User Training offers a comprehensive introduction to CROWNWeb. Students in this ONE-DAY training event will learn the basics of using CROWNWeb to manually enter and submit data to CMS. Content is presented in an easy-to-follow format by certified trainers with ample opportunity for questions and feedback, and progress is measured periodically by pop-up interactive quizzes.

- NOTE: Audio for this event is provided via streaming internet – connect speakers or headphones to listen. A limited number of dial-in numbers are available if streaming is not available.
- DATE: February 14th, 2017
- TIME: 2:00 to 3:30 PM ET
- Participants will learn the following CROWNWeb concepts:
 - Adding Personnel
 - Admitting New Patients
 - Viewing and Editing Patient Attributes
 - Accessing and Submitting CMS-2728 Forms
 - Viewing and Adding Treatment Information
 - Submitting Clinical Data – Hemo and PD
 - Submitting Clinical Data – Vascular Access
 - Discharging a Patient
 - Viewing and Verifying PART Data
 - Submitting a CMS-2746 Form
- If you'd like to utilize closed-captioning, at the start of the event, please login (after registering) using the link below:
<http://www.captionedtext.com/client/event.aspx?CustomerID=1159&EventID=3178067>
- Direct Registration Link: <https://cc.readytalk.com/r/pqdcir6da4lx&eom>
- For more information: http://mycrownweb.org/pcw_lems/crownweb-new-user-training-feb/

Articles of Interest

- ***Immigration Order Is Bad Idea, Say 12 Doc Groups.*** “President Trump's executive order on immigration should be rescinded, but if that does not happen soon, the Trump administration should take steps to selectively ease travel restrictions that impact medical education and access to healthcare services, according to 12 different physician organizations. The 12 organizations -- which include the American College of Physicians, the American College of Chest Physicians, the American Society of Hematology, and the American Society of Nephrology -- said in a letter sent to Homeland Security Secretary John Kelly that they were particularly concerned that "by restricting entry of physicians and medical students from seven designated Muslim majority countries, the order will undermine medical education and result in patients losing access to their doctors.”
 - To read more:
http://www.medpagetoday.com/PublicHealthPolicy/WorkForce/62990?xid=nl_mpt_DHE_2017-02-09&eun=g939522d0r&pos=0
- ***ACA Repeal Could Have Broad Effects.*** “As Congress moves forward with the repeal of the Affordable Care Act (ACA), some of the most talked-about provisions to be repealed include the individual mandate for health insurance and the "essential" benefits that are required for all health insurance policies, along with the rules prohibiting discrimination based on preexisting health conditions. But there are many other provisions of the law that may also disappear with repeal unless action is taken to keep them. For example,

the act set up a program that penalizes hospitals financially if they have an unusually high rate of readmissions within 30 days of discharge. A study in the *Annals of Internal Medicine* found that the ACA's Hospital Readmission Reduction Program prompted a reduction in 30-day risk-standardized readmission rates for acute myocardial infarction (AMI), heart failure, and pneumonia compared with rates before the law's passage."

- To read more: http://www.medpagetoday.com/Washington-Watch/Reform/62955?xid=nl_mpt_DHE_2017-02-09&eun=g939522d0r&pos=11
- ***GOP Frets Over Too-High Expectations.*** "President Trump and GOP leaders on Capitol Hill have promised voters that 2017 will bring the repeal and replacement of ObamaCare, a long-awaited overhaul of the tax code and funding for a "great wall" along the U.S.-Mexico border. Now, some in the party are wondering whether Republicans have bitten off more than they can chew. Conservative naysayers inside and outside the Capitol argue that it's not just about the GOP-controlled Congress's slow start in carrying out Trump's agenda. There's serious concern that Trump and GOP leadership have simply identified too many big-ticket, politically thorny items to tackle in year one. They also see tough times ahead in prioritizing what to do."
 - To read more: <http://thehill.com/homenews/house/318808-gop-frets-over-too-high-expectations>

Hearings and Events

Monday, February 13th:

- The House Oversight and Government Reform Committee will hold a markup of "H. J. RES. 27, Disapproving the action of the District of Columbia Council in approving the Death with Dignity Act of 2016."
 - 5:30 pm in 2157 Rayburn House Office Building

Tuesday, February 14th:

- The National Academy of Sciences and the National Academy of Medicine hold a briefing on a new report, "Human Genome Editing: Science, Ethics, and Governance."
 - For more information: <https://nam.edu/event/human-genome-editing-sciences-ethics-and-governance-report-release-public-briefing/>
- New America holds a book discussion on "The Vaccine Race," focusing on the "cutthroat competition, ugly politics, brilliant science, and questionable ethics that underscored the research and development of vaccines."
 - RSVP here: <https://www.newamerica.org/new-america/events/vaccine-race/>

Wednesday, February 15th:

- The Brookings Institution holds a discussion on "How to Manage Global Catastrophic Risk," including threats from climate change, nuclear weapons and global pandemics.
 - Register here: <https://www.brookings.edu/events/>
- The U.S. Chamber of Commerce holds its Health Means Business National Summit.
 - See here for more information: <https://www.uschamber.com/events>

Thursday, February 16th:

- The Ripon Society holds a discussion on the Republican strategy to replace Obamacare.
 - For more information: <http://www.riponsociety.org/events/breakfast-with-pat-tiberi/>