

American Nephrology Nurses Association

Weekly Capitol Hill Update - Tuesday, February 13, 2018

Congressional Schedule

Senate

- Senate meets at 10 am; to resume consideration of legislative vehicle for immigration.

House

- House meets at 12 pm; set to consider 9 bills
- House Rules Committee meets 5 pm to take up the following legislation:
 - H.R. 3299, which would allow marketplace lenders to continue partnering with banks after purchasing a loan on the secondary market, with assurance that the original rates and terms attached to the loan are still valid regardless of where the purchaser operates
 - Committee also will consider H.R. 3978, related to real estate settlement procedures, and H.R. 620, which would amend Americans with Disabilities Act

Legislative Update

- **Week in Review**
 - *Shutdown ends after Trump signs budget deal.* "After five and a half hours of a government shutdown, Congress passed a sweeping budget deal early Friday morning that will keep the doors open at federal agencies and lift stiff spending caps – giving Republicans another legislative victory, although it came at a high price. At about 8:40 a.m. Friday, President Donald Trump tweeted that he "just signed Bill. Our Military will now be stronger than ever before. We love and need our Military and gave them everything – and more. First time this has happened in a long time. Also means JOBS, JOBS, JOBS!"
 - There are three dialysis-related provisions
 - SEC. 50302 - Expanding Access to Home Dialysis Therapy

- SEC. 50403 - Independent Accreditation for Dialysis Facilities and Assurance of High Quality Surveys
 - SEC. 53108 - Reduction for Non-Emergency ESRD Ambulance Transports
 - To read more: <https://www.politico.com/story/2018/02/08/congress-massive-budget-deal-2018-398189>
 - To read the full text of the bill: <https://www.congress.gov/bill/115th-congress/house-bill/1892/text>
- ***New Spending Agreement Repeals Obamacare's Mythical Death Panel.***
 “Congressional leaders have agreed on a spending bill to keep the government open, and deep inside that agreement is a provision that helps explain why American health care is so expensive. The spending agreement, which Congress must still approve and President Donald Trump must still sign, actually affects health care in several ways. It would put new money into opioid treatment, renew funding for community clinics that serve the poor and extend funding for the Children’s Health Insurance Program, which Congress reauthorized last month, by another four years. But the bill would also repeal the Independent Payment Advisory Board, or IPAB, which is a commission of experts that the Affordable Care Act created back in 2010.”
- To read more: https://www.huffingtonpost.com/entry/spending-bill-obamacare-advisory-board_us_5a7b7af6e4b08dfc92ffc1a4?section=us_health
- ***Trump Budget to Target Drug Prices, Out-of-Pocket Costs, Azar Says.***
 “Donald Trump’s health-care chief said he plans to take up the president’s promises to do something about pharmaceutical prices, targeting some of the U.S.’s costliest drugs with proposals to reduce patients’ out-of-pocket spending.”
- To read more: <https://www.bloomberg.com/news/articles/2018-02-09/trump-budget-targets-pricey-drugs-patient-out-of-pocket-costs>
- ***Pharma furious after being "blindsided" in budget deal.*** “The pharmaceutical industry is livid about a surprise change to Medicare drug policy that was slipped into the Senate budget deal. The bill would close the Medicare Part D "donut hole" in 2019, a year earlier than previously scheduled, and force drug companies to shoulder most of the cost.”
- To read more: <https://www.axios.com/phrma-furious-medicare-budget-1518131418-0a0c5017-7c5c-4425-a96a-05bd558bc837.html>
- ***From Clinics to Child Insurance, Budget Deal Affects Health Care.*** “The budget deal in Congress is billed as a measure to grant stability to a

government funding process that has lurched from crisis to crisis — but it is also stuffed with provisions that will broadly affect the nation’s health care system, like repealing an advisory board to curb Medicare spending and funding community health centers.”

- To read more:

<https://www.nytimes.com/2018/02/08/us/politics/budget-deal-health-care.html>

- **Week Ahead**

- *Ryan calls for 'incremental' health reforms after failure of ObamaCare repeal.* “Speaker Paul Ryan (R-Wis.) is calling for "incremental" health-care reform after the Senate failed to pass an ObamaCare replacement bill last year. Asked on Fox Business on Tuesday if lawmakers will try again to pass an ObamaCare repeal legislation this year, Ryan pointed to incremental changes.”
 - To read more: <http://thehill.com/policy/healthcare/373612-ryan-calls-for-incremental-health-reforms-after-failure-of-obamacare-repeal>
- *Trump scales back request for stiff budget cuts.* “The White House released a decadelong budget request Monday that lays out \$3.6 trillion in deficit reduction while calling for hundreds of billions more to be pumped into the Pentagon. The Trump administration is proposing deeper cuts to safety net programs — including Medicare, which the president on the campaign trail swore he wouldn’t touch — to help fund what it calls a “more lethal” military.”
 - To read more: <https://www.politico.com/story/2018/02/11/trump-budget-cuts-domestic-programs-403636>
- *Analysis: Trump budget tries to address drug prices, but leaves list prices untouched.* “President Trump’s plan to bring down the price of prescription drugs, released as part of his administration’s budget proposal Monday, made no mention of what his health secretary said is the “most important thing”: lowering the actual list prices drug makers set for their products.”
 - To read more: <https://www.statnews.com/2018/02/12/trump-budget-drug-list-prices/>
- *Democrats want to increase ACA subsidies in stabilization bill.* “Senate Democrats, led by Sen. Patty Murray, are pushing to increase the Affordable Care Act's subsidies as part of a stabilization bill being renegotiated with Sen. Lamar Alexander. This would mean increasing the amount of financial assistance people receive, as well as making it available to more people.”

- To read more: <https://www.axios.com/democrats-want-to-increase-aca-subsidies-in-stabilization-b-1518018808-cde0887d-1bf2-4f17-b634-b94778e276be.html>
- *Trump's high-spending budget reverses longtime GOP dogma.* "President Donald Trump's own budget director says if he were still a member of Congress he probably wouldn't vote for the very budget plan he hawked Tuesday before the Senate Budget Committee. Office of Management and Budget Director Mick Mulvaney told the panel that he "probably would have found enough shortcomings in this to vote against it.""
 - To read more: <http://abcnews.go.com/Politics/wireStory/trumps-high-spending-budget-reverses-longtime-gop-dogma-53036528>

Regulatory and Administration Update

- *Nominations for Patients, Caregivers, and Providers for Patient Reported Outcomes Focus Groups:* UM-KECC, through its contract with CMS, is seeking nominations for patients, caregivers, and providers to participate on one of several focus groups on Patient Reported Outcomes. The focus groups will be held to elicit feedback and suggestions for draft question content for two PRO measure topics: Patient Life Goals; Patient Feeling of Safety. UM-KECC is seeking nominations from interested individuals who have experience as dialysis patients, CKD patients who are not yet on dialysis, caregivers (specifically for pediatric or elderly/frail patients), or dialysis providers (nephrologists, nephrology nurses, social workers, and other clinicians). The call for nominations closes Wednesday, February 28, 2018. The specific recruitment letters and instructions for submitting nominations to the respective patients/caregivers focus groups and the provider focus groups are available here.
 - All patient and caregiver nominations require a brief statement of interest. Any conflicts of interest must be disclosed by completing the attached form. Please submit all materials to dialysisdata@umich.edu by close of business (5:00 p.m. ET) on Wednesday, February 28, 2018.
- *Trump releases budget proposal for health department.* "The Department of Health and Human Services would receive \$95.4 billion under the budget proposal released by the Trump administration Monday. Under the proposal, The Centers for Disease Control and Prevention would face a cut but the National Institutes of Health and the Food and Drug Administration would see increases."
 - To read more: <http://thehill.com/policy/healthcare/373452-health-department-would-see-21-percent-cut-under-trump-budget-proposal>

- ***Trump proposes reduction of drug costs under Medicare.*** “President Donald Trump will propose lowering prescription drug costs for Medicare beneficiaries by allowing them to share in rebates that drug companies pay to insurers and middlemen, an administration official said. A senior administration official outlined the plan Thursday on condition of anonymity ahead of the release of Trump's 2019 budget plan next week. Pharmaceutical companies now pay rebates to insurers and pharmacy benefit managers to help their medications gain a bigger slice of the market.”
 - To read more: <http://abcnews.go.com/Health/wireStory/trump-proposes-reduction-drug-costs-medicare-52953287>

- ***Trump’s Budget Proposal Swings At Drug Prices With A Glancing Blow.*** “President Donald Trump’s new budget proposal flirts with combating high prescription drug prices, but industry watchers say the tweaks to Medicare and Medicaid do little more than dance around the edges of lowering the actual prices of drugs. The White House’s proposal, which comes after Congress passed a two-year spending deal last week, though, sets the tone for the administration’s focus on prescription drugs.”
 - To read more: <https://khn.org/news/trumps-budget-proposal-swings-at-drug-prices-with-a-glancing-blow/>

- ***Artificial Kidney Development Advances, Thanks to Collaboration by NIBIB Quantum Grantees.*** “Creating an artificial implantable kidney would be an epic advance in medicine and could address a chronic shortage of donor kidneys needed for transplant. Researchers have been at this quest for the past 15 years and keep coming upon one extremely knotty problem: how to keep the blood flowing smoothly through the artificial device without clotting. In such devices, as blood platelets respond to mechanical forces, they have a natural tendency to clot, causing a device malfunction.”
 - To read more: <http://www.newswise.com/articles/artificial-kidney-development-advances%2C-thanks-to-collaboration-by-nibib-quantum-grantees->

- ***ESRD QIP: Final Rule for CY 2018 Call – February 22*** “During this call, learn about provisions in the CY 2018 End-Stage Renal Disease (ESRD) Prospective Payment System final rule, including plans for the ESRD Quality Incentive Program (QIP) in Payment Year (PY) 2019, 2020, and 2021. Topics include:
 - ESRD QIP legislative framework
 - Measures, standards, scoring method, and payment reduction scale for PY 2021
 - Modifications to PY 2019 and PY 2020 policies
 - To read more: <https://www.cms.gov/Outreach-and-Education/Outreach/FFSProvPartProg/Provider-Partnership-Email-Archive-Items/2018-02-08->

Articles of Interest

- ***ACO results prove good for kidney patients, Medicare; Congress must pass the Dialysis PATIENTS Act.*** “When they were first introduced as part of the new Affordable Care Act back in 2011, the goal behind Accountable Care Organizations (ACOs) was to ensure that patients, particularly those who are chronically ill, received the right care at the right time – all while avoiding unnecessary duplication of services and preventing medical errors. For chronically ill patients with kidney disease and failure – not to mention a host of other complicating and expensive comorbidities – ACOs seemed to be a perfect fit.”
 - To read more: <http://thehill.com/blogs/congress-blog/politics/372286-aco-results-prove-good-for-kidney-patients-and-medicare-now>
- ***Flu-like illness in US reaches 2009 pandemic levels.*** “The latest FluView surveillance numbers from the Centers for Disease Control and Prevention (CDC) show that outpatient influenza-like illness (ILI) activity has now reached 7.7% of all clinic visits, which matches the highest level during the 2009-10 H1N1 pandemic.”
 - To read more: <http://www.cidrap.umn.edu/news-perspective/2018/02/flu-illness-us-reaches-2009-pandemic-levels>
- ***What the Amazon, Berkshire Hathaway, JPMorgan deal means for payers.*** “The announcement of the healthcare partnership between Amazon, Berkshire Hathaway and JPMorgan Chase is either the major disruptor everyone in the industry has been awaiting or means little except to the three companies involved. Since the firms have given no indication of what they're planning, everyone is reading into the collaboration.”
 - To read more: <http://www.healthcarefinancenews.com/news/what-amazon-berkshire-hathaway-jp-morgan-deal-means-payers>
- ***Secret Discounts Kept Soaring Drug Bills Down, Says Middleman.*** “Middlemen that negotiate drug discounts are under fire from drugmakers who say that secret rebates aren't always shared with patients. But Express Scripts Holding Co., one of the biggest pharmacy-benefits managers, says the drug-price deals it cuts behind closed doors are saving consumers a lot of money.”
 - To read more: <https://www.bloomberg.com/news/articles/2018-02-06/secret-discounts-kept-soaring-drug-bills-down-says-middleman>
- ***Despite Changes That Undermined ACA Enrollment, Marketplaces 'Remarkably Stable.'*** “After much drama leading to this year's open enrollment for Affordable Care Act coverage – a shorter time frame, a sharply reduced federal budget for

marketing and assistance, and confusion resulting from months of repeal-and-replace debate – the final tally paints a mixed picture. With all states now reporting, ACA plan enrollment ticked downward this year, a report out Wednesday shows, but states running their own marketplaces saw slight gains and did better than those relying on the federal exchange.”

- To read more: <https://khn.org/news/despite-changes-that-undermined-aca-enrollment-marketplaces-remarkably-stable/>