

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, February 5, 2018

Congressional Schedule

Senate

- Senate convenes 3 pm; plans to vote on the nomination of Andrei Iancu to be undersecretary of Commerce for intellectual property and director of the U.S. Patent and Trademark Office.

House

- House meets at noon; set to consider 9 bills.
- 5 pm: House Rules Committee meets in room H-313 at the Capitol to set terms for floor debate on 3 bills.
- 5:15 pm: House Administration Committee is scheduled to mark up an unnumbered draft resolution that would require each House office to adopt an anti-harassment and anti-discrimination policy; the measure also would establish an Office of Employee Advocacy; 1309 Longworth.
- 5 pm: House Intelligence Committee holds hearing relating to public disclosure of exec. session material.

Legislative Update

- **Week in Review**
 - *Trump makes no calls for ObamaCare repeal in State of the Union.*

“President Trump made no mention of repealing or replacing ObamaCare during his first State of the Union address on Tuesday, cementing how far the issue has fallen off of the GOP’s agenda. Republicans on Capitol Hill have largely moved away from gutting former President Obama’s signature health-care law, and Trump wasn’t expected to speak about repealing the Affordable Care Act (ACA) in his speech Tuesday.”

 - To read more: <http://thehill.com/policy/healthcare/371546-trump-makes-no-calls-for-obamacare-repeal-in-state-of-the-union>

- *Trump declares cutting drug prices is a top priority, wants to allow patients quick access to experimental treatments.* “President Donald Trump said Tuesday that cutting drug prices is one of the "greatest priorities" for his administration. Trump also called on Congress to pass "Right to Try" legislation to allow terminally ill people to use medication that has not yet received final approval from the Food and Drug Administration.”
 - To read more: <https://www.cnbc.com/2018/01/30/donald-trump-obamacare-state-of-the-union-insurance-health-care.html>

- *Right to Try Act gains momentum after Trump pitch.* “Advocates of “right to try” legislation have been given a jolt of momentum by President Trump’s decision to tout the bill during his State of the Union address. The legislation would allow patients with a serious illness to request access to experimental medicines that the Food and Drug Administration (FDA) hasn’t yet approved.”
 - To read more: <http://thehill.com/policy/healthcare/371733-right-to-try-act-gains-momentum-after-trump-pitch>

- *Republicans give up on Obamacare repeal.* “Republicans are giving up on their years-long dream of repealing Obamacare. Though the GOP still controls both chambers of Congress and maintains the ability to jam through a repeal-and-replace bill via a simple majority, there are no discussions of doing so here at House and Senate Republicans’ joint retreat at The Greenbrier resort. Republicans doubt they can even pass a budget providing for the powerful party-line “reconciliation” procedure used to pass tax reform last year, much less take on the politically perilous task of rewriting health care laws in an election year.”
 - To read more: <https://www.politico.com/story/2018/02/01/obamacare-repeal-republican-status-381470>

- **Week Ahead**
 - *Congress returns with just days to avoid shutdown.* “Republican lawmakers fresh off their annual GOP legislative retreat will be confronting an all-too-familiar problem when they return to Washington on Monday: avoiding a government shutdown. GOP leaders are eyeing a six-week funding bill that would keep the government’s lights on until March 23. The measure could include sweeteners like funding for community health centers.”
 - To read more: <http://thehill.com/policy/finance/372114-congress-returns-with-just-days-to-avoid-shutdown>

 - *House GOP warming to ObamaCare fix.* “Key House Republicans are warming to a proposal aimed at bringing down ObamaCare premiums,

raising the chances of legislative action this year to stabilize the health-care law. House GOP aides and lobbyists say that top House Republicans are interested in funding what is known as reinsurance. The money could be included in a coming bipartisan government funding deal or in another legislative vehicle.”

- To read more: <http://thehill.com/policy/healthcare/371738-house-gop-warming-to-obamacare-fix>
- ***Community Health Centers Brace for Layoffs With Federal Funds in Limbo.*** “Health centers that provide essential medical care for millions of poor and uninsured patients are preparing to lay off staff and shrink services amid fears that they will run out of money before Congress renews funding that expired in September. The federal Health Center Program has nearly 1,400 community health centers, which treat about 25 million Americans who reside in underserved communities across the country. These centers serve as a one-stop shop where patients can get primary care, mental health care, dental care and other services, regardless of their ability to pay.”
 - To read more: <https://morningconsult.com/2018/02/02/community-health-centers-brace-for-layoffs-with-federal-funds-in-limbo/>
- ***GOP chairman: Leaders could add health-center funds to stopgap spending bill.*** “House Energy and Commerce Chairman Greg Walden (R-Ore.) said Friday that GOP leaders are looking to attach funding for community health centers to a short-term stopgap measure to keep the government open next week. The billions in funding would serve as a sweetener, designed to attract Democratic votes for the continuing resolution (CR).”
 - To read more: <http://thehill.com/homenews/house/372020-gop-chairman-leaders-could-add-health-center-funds-to-stopgap-spending-bill>
- ***Lawmakers near deal on funds for community health centers.*** “Funding for community health centers could finally pass in the coming week as Congress faces a new government funding deadline... Lawmakers are considering providing two years of funding.”
 - To read more: <http://thehill.com/policy/healthcare/372082-week-ahead-lawmakers-near-deal-on-funds-for-community-health-centers>

Regulatory and Administration Update

- ***CMS proposes Medicare Advantage and Part D payment and policy updates to provide new benefits for enrollees, new protections to combat opioid crisis.*** “Today, the Centers for Medicare & Medicaid Services (CMS) released proposed changes for

the Medicare health and drug programs in 2019 that increase flexibility in Medicare Advantage that will allow more options and new benefits to Medicare beneficiaries, meeting their unique health needs and improving their quality of life. Furthermore, the proposal includes important new steps to ensure new patient-doctor-plan communication in combatting the opioid crisis.”

- To read more:

<https://www.cms.gov/Newsroom/MediaReleaseDatabase/Press-releases/2018-Press-releases-items/2018-02-01.html>

- ***Medicare Advantage membership grows almost 8%.*** “MA remains popular with both the Medicare population and payers and now accounts for about one-third of Medicare patients. Though payers are looking to expand their MA offerings as some move away from the Affordable Care Act exchanges, the market remains dominated by a small number of national insurers. UnitedHealth has nearly one-quarter of the MA market. The top four MA payers control more than half of the market.”
 - To read more: <https://www.healthcarediver.com/news/medicare-advantage-membership-grows-almost-8/515864/>
- ***CDC director who traded tobacco stock resigns.*** “President Donald Trump's top public health official resigned Wednesday amid mounting questions about financial conflicts of interest. Dr. Brenda Fitzgerald's resignation comes one day after POLITICO reported that one month into her tenure as CDC director, she bought shares in a tobacco company. Fitzgerald had long championed efforts to cut tobacco use, which is the leading cause of preventable death.”
 - To read more: <https://www.politico.com/story/2018/01/31/cdc-director-resigns-over-financial-conflicts-380206>
- ***CDC employees are delighted that their acting director is back in charge.*** “It took several hours Wednesday before employees at the Centers for Disease Control and Prevention heard who was going to run the nation’s leading public health agency. Brenda Fitzgerald had just resigned after barely six months in the job because of conflicts over financial interests. When the notice finally went out on the CDC’s internal announcement board that the principal deputy director, Anne Schuchat, 58, with nearly three decades of CDC experience, would be taking over (again) as acting director, employees were very happy to hear the news.”
 - To read more: <https://www.washingtonpost.com/news/to-your-health/wp/2018/02/01/cdc-employees-are-delighted-that-their-acting-director-is-back-in-charge/>
- ***Pay for performance: a dangerous health policy fad that won't die.*** “Last November, University of Pittsburgh and Harvard researchers published a major study in *Annals of Internal Medicine* showing that a Medicare pay-for-performance program did not improve quality or reduce cost and, to make matters worse, it actually penalized

doctors for caring for the poorest and sickest patients because their “quality scores” suffered. In December, Ankur Gupta and colleagues reported that a Medicare program that rewards and punishes hospitals based on arbitrary limits on the number of hospital admissions of heart failure patients may have increased death rates. On New Year’s Day, the New York Times reported that penalties for “inappropriate care” concocted by Veterans Affairs induced an Oregon hospital to deny acute medical care to its sickest patients, including an 81-year-old “malnourished and dehydrated” vet with skin ulcers and broken ribs.”

- To read more: <https://www.statnews.com/2018/01/30/pay-for-performance-doctors-hospitals/>

Articles of Interest

- ***5 Common Myths About Kidney Disease Prevention.*** “Not all prevention tips are created equal, and while drinking water regularly and keeping a healthy diet are still great guideposts, some prevention myths have gained a little too much momentum. We’re here to find the clarity within the clutter and help keep your kidney disease prevention game on point.”
 - To read more: <https://www.kidney.org/newsletter/5-common-myths-about-kidney-health>
- ***U.S. Pays Billions for ‘Assisted Living,’ but What Does It Get?*** “Federal investigators say they have found huge gaps in the regulation of assisted living facilities, a shortfall that they say has potentially jeopardized the care of hundreds of thousands of people served by the booming industry. The federal government lacks even basic information about the quality of assisted living services provided to low-income people on Medicaid, the Government Accountability Office, a nonpartisan investigative arm of Congress, says in a report to be issued on Sunday.”
 - To read more:
- ***U.S. flu outbreak worsens; hospitalizations highest in nearly a decade: CDC.*** “The U.S. flu outbreak worsened over the past week as more people headed to doctors’ offices and emergency rooms, with hospitalizations at the highest in nearly 10 years, U.S. health officials said on Friday.”
 - To read more: <https://www.reuters.com/article/us-usa-flu/u-s-flu-outbreak-worsens-hospitalizations-highest-in-nearly-a-decade-cdc-idUSKBN1FM2EN>