

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, February 6, 2017

Congressional Schedule

House

- “Convenes at 2 p.m. for consideration of seven bills under suspension of the rules, six on lands issues and one on email privacy.” (CQ)
 - **Week Ahead:** “Tuesday the House meets at noon for consideration of three resolutions to disapprove of two Education Department rules and one land use rule. On Wednesday, Thursday and Friday, no votes are expected in the House, as Democrats huddle for their annual policy retreat.” (CQ)

Senate

- “Convenes at noon for continued consideration of the nomination of Betsy DeVos to be Secretary of Education.” (CQ)

Legislative Updates

- **Week Ahead:**
 - ***Price Awaits Senate Vote; Conservatives Push Back on ObamaCare 'Repair.'***
“The Senate could vote on Rep. Tom Price's (R-GA) nomination for Health and Human Services Secretary as early as the coming week. Price's nomination has been controversial and drawn strong opposition from Democrats, who say he made a false statement to the Senate Finance Committee about an exclusive deal he was given on a medical stock while in Congress. However, Republicans have defended Price and say Democrats are just playing politics to try to delay President Trump's nominees. Price's confirmation is an important step in Republican efforts to dismantle ObamaCare, given that a big part of their plan is executive actions by the administration. Sens. Ted Cruz (R-TX) and Bernie Sanders (I-VT) will debate ObamaCare on Tuesday night on CNN. There are sure to be some fireworks. House conservatives, meanwhile, are pushing to have as much of ObamaCare as possible be repealed. They are concerned about talk by some Republicans of "repairing" the law instead of full repeal.”
 - To read more: <http://thehill.com/policy/healthcare/317829-week-ahead-price-awaits-senate-vote-conservatives-push-back-on-obamacare>

- *Trump Ready to Crack the Whip on GOP Congress.* “Having signed a flurry of executive orders, President Trump will soon shift his attention to Congress as he tries to push through an ambitious agenda, including an overhaul of ObamaCare, a border wall and a massive infrastructure package. The White House won't only be working back channels with congressional leaders and rank-and-file lawmakers. Allies say Trump will likely bring his bully pulpit on the road, holding campaign-style events that specifically target vulnerable Democrats in red states like Montana and West Virginia. Then there's his Twitter account: Hill Republicans say Trump will have no problem singling out through social media lawmakers he feels are standing in the way of his agenda.”
 - To read more: <http://thehill.com/homenews/house/317881-trump-ready-to-crack-the-whip-on-gop-congress>
- *Senators Play Chicken over Supreme Court Filibuster.* “Senate Democrats and Republicans are playing chicken over whether President Trump’s pick for the Supreme Court will be filibustered – and whether Republicans will go “nuclear” and change Senate rules to prevent Democrats from blocking Neil Gorsuch. Several Republican senators have voiced misgivings about the GOP unilaterally changing Senate rules through a party-line vote to prevent the filibuster from being used against Supreme Court nominees. Republicans also don’t think they’ll need to go nuclear.”
 - To read more: <http://thehill.com/homenews/senate/317882-senators-plays-chicken-over-supreme-court-filibuster>
- *Week in Review:*
 - *House Panel Debates Ways to Improve Medicaid Program.* “While some parts of Capitol Hill were witnessing dramatic events such as committee boycotts and rules suspensions, the House Energy & Commerce Health Subcommittee was doing its regular job this week discussing healthcare-related legislation. The subcommittee held a hearing Wednesday to discuss three draft bills aimed at making the Medicaid program more cost-effective: one would close a loophole allowing all spousal annuitant income to be excluded from being counted in Medicaid beneficiaries' income; a second would require beneficiaries to show proof of citizenship or legal residence before being given benefits. And a third bill would deny Medicaid coverage to lottery winners; the current law's treatment of large lump sum payments can allow big jackpot winners to stay in the program. Although this might not seem like a major problem, it attracted the attention of Rep. Fred Upton (R-MI), who introduced the bill called "The Prioritizing the Most Vulnerable Over Lottery Winners Act of 2017.”
 - To read more: http://www.medpagetoday.com/PublicHealthPolicy/Medicaid/62893?xid=nl_mpt_DHE_2017-02-03&eun=g939522d0r&pos=3
 - *ACA Fixes Come Into Focus At Senate Hearing.* “Health insurance companies and regulators are coalescing around quick policy actions aimed at stabilizing Affordable Care Act (ACA) marketplaces by tightening enrollment options,

trimming benefits and extending subsidies, U.S. senators heard Wednesday. The actions were described during a 2 1/2-hour hearing before the Senate Health, Education, Labor and Pensions Committee. The goal is to assemble a filibuster-proof package of reforms by spring, boosting confidence in ACA marketplaces and giving insurers time to design and price their offerings for 2018. The package is seen as a stopgap to buy time while Republicans mull repealing and replacing the ACA.”

- To read more: https://www.law360.com/publicpolicy/articles/884813/aca-fixes-come-into-focus-at-senate-hearing?nl_pk=97e0dd47-c87c-43ef-be60-18cb20c26402&utm_source=newsletter&utm_medium=email&utm_campaign=publicpolicy
- *HHS Nominee Confirmation Hearings Elicit Few Details.* “Two confirmation hearings for President Donald Trump's nominee to serve as Department of Health & Human Services secretary have generated more questions than answers about the future of healthcare reform, policy experts say. Last week, Rep. Tom Price, who has served as a Republican member of the House of Representatives since 2005, answered questions for nearly four hours during a hearing conducted by the Senate Committee on Health, Education, Labor & Pensions (HELP). On Tuesday, he faced an additional four hours of questioning before the Senate Committee on Finance.”
 - To read more: <http://www.healthleadersmedia.com/leadership/hhs-nominee-confirmation-hearings-elicitefew-details>
- *Republicans Suspend Rules, Push Price Nomination to Senate Floor.* “In an unprecedented move, the Senate Finance Committee suspended its own rules Wednesday so that the Republican majority could send the nomination of Rep. Tom Price for Secretary of Health and Human Services on to the full Senate for confirmation. “We took unprecedented actions today due to unprecedented obstruction on the part of our Senate colleagues,” committee chairman Sen. Orrin Hatch (R-UT) said, referring to Tuesday's boycott by the committee's Democrats that prevented a vote under standard rules.”
 - To read more: http://www.medpagetoday.com/PublicHealthPolicy/Washington-Watch/62858?xid=nl_mpt_DHE_2017-02-02&eun=g939522d0r&pos=14

Regulatory Updates

- *CMS and UM-KECC Issue Call for Nominations for ESRD Patient-Reported Outcomes Technical Expert Panel (TEP).* CMS and UM-KECC are seeking nominations of individuals to review potential patient-reported measure concepts and provide recommendations for measure development. The TEP will be comprised of patients and individuals with expertise in the subject matter, methodology, and performance measurement.
 - **Nomination materials are due February 10, 2017.**

- For more information, please visit: <https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/MMS/TechnicalExpertPanels.html#2222>

Articles of Interest

- ***Health Law Coverage Has Helped Many Chronically Ill – But Has Still Left Gaps.*** “As President Donald Trump and Republicans in Congress devise a plan to replace the 2010 health law, new research suggests a key component of the law helped people with chronic disease get access to health care – though, the paper notes, it still fell short in meeting their medical needs. Research published Monday in the Annals of Internal Medicine found that the number of chronically ill Americans with insurance increased by about 5 percentage points – around 4 million people – in 2014, the first year the law required Americans to have coverage, set up marketplaces for people to buy coverage and allowed for states to expand eligibility for Medicaid, the federal-state insurance plan for low-income people. If states opted into the Medicaid expansion, people with chronic illnesses such as heart disease, diabetes, depression and asthma were more likely to see those gains. Still, the study suggests, the law fell short in terms of guaranteeing those people could get medical treatment, see a doctor and afford medications.”
 - To read more: <http://www.healthleadersmedia.com/health-plans/health-law-coverage-has-helped-many-chronically-ill-has-still-left-gaps#>
- ***Drug Prices Rose 11 Percent Last Year, Providing Fuel for Both Sides of Price Debate.*** “Drug prices, on their face, rose by about 11 percent last year, according to Express Scripts, the largest U.S. pharmacy benefits manager. But costs for employers increased just 2.5 percent across all prescription drugs, Express Scripts said in its new Drug Trend Report, released Monday. The St. Louis-based PBM, which negotiates drug prices on behalf of insurers and employers, hailed the difference in figures as evidence that it saves the system money. “In a year where the issue of high drug prices was No. 1 on the list of payer and policymaker concerns, the data show that our solutions protected our clients and patients,” Dr. Glen Stettin, chief innovation officer at Express Scripts, said in a statement. But drug companies, growing increasingly public in their battle with PBMs, may use the same figures to fuel their arguments that the middlemen help push list prices up. Drug manufacturers say it's the rebates, or discounts, wrangled by PBMs that drive list prices higher; PBMs take a percentage of the rebates, the rest of which they pass on to clients. So the bigger the rebate, the more PBMs take home.”
 - To read more: <http://www.cnbc.com/2017/02/06/drug-prices-rose-11-percent-last-year-providing-fuel-for-both-sides-of-price-debate.html>

Hearings

Tuesday, February 7th:

- The House Ways and Means Subcommittees on Social Security and Oversight will hold a hearing, “Examining the Social Security Administration’s Representative Payee Program: Determining Who Needs Help.”
 - 10:00 a.m. in 1100 Longworth House Office Building