

American Nephrology Nurses Association

Weekly Capitol Hill Update – Monday, March 12, 2018

Congressional Schedule

Senate

- Senate meets at 4 pm; resumes consideration of Dodd-Frank overhaul bill, S. 2155.

House

- House returns Tuesday.

Legislative Update

- **Week in Review**
 - *McCaskill accuses generic drugmaker of 'stonewalling.'* “A Democratic senator on Tuesday accused the world’s largest generic drugmaker of “stonewalling” an investigation into the role opioid manufacturers and distributors play in the current drug crisis. Sen. Claire McCaskill (D-Mo.) said Teva Pharmaceutical Industries has only provided general information in response to repeated inquiries by her office.”
 - Read more: <http://thehill.com/policy/healthcare/376954-mccaskill-accuses-generic-drugmaker-of-stonewalling>
 - *FDA Commissioner Addresses Flu Response and Preparedness Efforts.* “In oral testimony before the US House Committee on Energy and Commerce Subcommittee on Oversight and Investigations, FDA Commissioner Scott Gottlieb, MD, urged immediate steps that can be taken to enhance the product of existing licensed influenza vaccines, and he noted that a universal flu vaccine remains years away. The testimony was given hearing on US public health preparedness and response efforts to seasonal influenza.”
 - Read more: <http://www.pharmacytimes.com/resource-centers/flu/fda-commissioner-addresses-flu-response-and-preparedness-efforts>

- ***GOP lawmaker meets with Ryan to push for drug pricing bill.*** “Rep. Tom Marino (R-Pa.) says he met with Speaker (R-Wis.) on Wednesday to push for the inclusion of a measure to fight high drug prices in a coming government funding bill. The bill, called the Creates Act, has support from members of both parties but has faced strong lobbying in opposition from the powerful pharmaceutical industry.”
 - Read more: <http://thehill.com/policy/healthcare/377417-gop-lawmaker-meets-with-ryan-to-push-for-drug-pricing-bill>

- ***Nurses applaud introduction of federal legislation to prevent workplace violence in health care facilities.*** “National Nurses United (NNU), the nation’s largest union of registered nurses, announced its support for the Health Care Workplace Violence Prevention Act, introduced today by Representative Ro Khanna (CA-17). The bill, introduced with the support of 12 other members of Congress, would mandate that the federal Occupational Safety and Health Administration (OSHA) develop a national standard on workplace violence prevention that would require health care facilities to develop and implement comprehensive facility and unit-specific workplace violence prevention plans. Nurses point out this legislation is critical, given that healthcare workers face rates of workplace violence higher than any other industry.”
 - Read more: <https://www.nationalnursesunited.org/press/nurses-applaud-introduction-federal-legislation-prevent-workplace-violence-health-care>

- ***Sanders says new health-care plan shows Dems moving toward ‘Medicare for all.’*** “Sen. Bernie Sanders (I-Vt.) said Monday that he thinks a new health-care plan from a Democratic think tank shows that the party is moving toward his position on health care. The plan released by CAP, a group with close ties to Sanders’s former primary opponent Hillary Clinton, is not quite single-payer in that it still allows for employer-based insurance as an option. But it otherwise provides Medicare for all people, something very close to Sanders's vision and a leftward shift from previous major Democratic plans.”
 - Read more: <http://thehill.com/policy/healthcare/376860-sanders-says-new-health-care-plans-shows-dems-moving-toward-medicare-for>

- ***US to Idaho: ‘State-based’ health plans don’t pass muster.*** “Idaho’s move to let companies offer health insurance plans that don’t meet Affordable Care Act standards is illegal, U.S. officials said Thursday. Centers for Medicare and Medicaid Services Administrator Seema Verma issued a letter to Idaho Gov. C.L. ‘Butch’ Otter, a Republican, and Idaho Department of Insurance Director Dean Cameron saying that the Affordable Care Act remains the law and that her agency has a duty to enforce it.”

- Read more: <https://apnews.com/187b1b3661b443b091b225eb0babd426/US-to-Idaho:-'State-based'-health-plans-don't-pass-muster>
 - *New GOP push: bill that would split individual market.* “A bill pending on Capitol Hill would move the individual market another step further towards having separate, parallel marketplaces for sick and healthy people. A legislative push – which appears to be backed by some in the White House – would allow short-term plans to both be available for up to a year and to have guaranteed renewability.”
 - Read more: <https://www.axios.com/new-gop-push-for-bill-that-could-c-1520460111-a9d11d20-071a-476b-9486-c325a74de724.html>
- **Week Ahead**
 - *Dem AGs rip proposed Trump rule on health plans.* “A coalition of 17 Democratic state attorneys general is blasting a proposed Trump administration rule to allow health plans to circumvent certain ObamaCare rules. The group, led by New York Attorney General Eric Schneiderman and Massachusetts Attorney General Maura Healey, said the proposal is a thinly veiled attempt to undermine the health-care law.”
 - Read more: <http://thehill.com/policy/healthcare/377266-dem-ags-rip-trump-proposal-on-short-term-health-plans>
 - *HHS chief to face tough questions on ObamaCare.* “Health Secretary Alex Azar is returning to Capitol Hill in the coming week to defend his agency's fiscal 2019 budget request before the House Appropriations Committee. Azar is scheduled to testify Thursday before the panel's health subcommittee.”
 - Read more: <http://thehill.com/policy/healthcare/377667-weekahead-hhs-chief-to-face-tough-questions-on-the-hill>
 - *House passes stopgap spending bill to end government shutdown.* “The continuing resolution the House passed [Feb. 9] will keep the government open through March 23, by which time Congress hopes to pass an omnibus spending bill with full appropriations for the remainder of fiscal 2018. At that point, the fiscal year will be nearly halfway over.”
 - Read more: <https://www.rollcall.com/news/politics/house-passes-budget-bill-stopgap-funding>
 - *White House pitch to bolster Obamacare includes tough trade-offs for Democrats.* “The White House is seeking a package of conservative policy concessions – some of which are certain to antagonize Democrats – in return

for backing a legislative package bolstering Obamacare markets, according to a document obtained by POLITICO.”

- Read more: <https://www.politico.com/story/2018/03/06/obamacare-democrats-white-house-insurance-stable-388816>

- *Planned Parenthood defunding threatens government spending package.* “House Republicans are demanding a series of controversial abortion and health care policies in the annual health spending bill, setting up a showdown with Democrats and threatening passage of an omnibus spending package to keep the government open.”
 - Read more: <https://www.politico.com/story/2018/03/07/planned-parenthood-defunding-government-spending-package-392513>

- *House conservatives brace for ObamaCare payments in funding bill.* “House conservatives are bracing for ObamaCare payments to be included in a coming government funding bill, despite their opposition. Rep. Mark Meadows (R-N.C.), chairman of the conservative House Freedom Caucus, said Wednesday that he expects the controversial ObamaCare payments aimed at stabilizing markets to be included in the omnibus government funding bill, which must pass by March 23 to avoid a shutdown.”
 - Read more: <http://thehill.com/policy/healthcare/377251-house-conservatives-brace-for-obamacare-payments-in-funding-bill>

- *Liberal group warns ObamaCare funds would do ‘more harm than good.’* “A liberal group is warning against funding ObamaCare payments that are at the center of a debate in Congress, marking a shift from Democrats’ earlier position on the payments. The Center on Budget and Policy Priorities on Friday published an analysis warning against funding the payments, known as cost-sharing reductions (CSRs), which are at the center of a bipartisan bill aimed at stabilizing the ObamaCare marketplaces. The bill could be included in a government funding measure this month.”
 - Read more: <http://thehill.com/policy/healthcare/377577-liberal-group-warns-obamacare-funds-would-do-more-harm-than-good>

Regulatory and Administration Update

- *Probe into generic drug price fixing set to widen.* “Forty-five states and the Department of Justice are claiming that generic-drug prices are fixed and the alleged collusion may have cost U.S. business and consumers more than \$1 billion. In their complaint, prosecutors say that when pharmacies asked drugmakers for their lowest price, the manufacturers would rig the bidding process.”

- Read more: <https://www.npr.org/2018/03/07/590217561/probe-into-generic-drug-price-fixing-set-to-widen>
- ***FDA Commissioner says rigged system raises drug costs for patients, discourages competition.*** “Scott Gottlieb, commissioner of the Food and Drug Administration (FDA), on Wednesday criticized what he called a ‘rigged’ system that keeps some generic drugs off the market and leaves patients paying high costs. Complex and secret deals between drug distributors, pharmacies, insurers and other key players have kept less expensive drugs off the market, he argued during a speech at a conference Wednesday for major health insurance companies.”
 - Read more: <http://thehill.com/policy/healthcare/377158-fda-commissioner-says-rigged-system-raises-drug-costs-for-patients>
- ***Trump administration wants to take on medical-records puzzle.*** “The Trump administration wants Americans to have greater access to their medical data, a top health official said at a health-technology conference. The question of how information from medical records can be shared securely with patients and among different health-care providers has long vexed the industry. While many health-care records have been digitized in the past decade, hospitals and doctors haven’t yet realized broad productivity gains from the transformation.”
 - Read more: <https://www.bloomberg.com/news/articles/2018-03-06/trump-administration-wants-to-take-on-medical-records-puzzle>
- ***Administration eyes new direction for CMS Innovation Office.*** “The White House has moved aggressively to undermine the Affordable Care Act, encouraging the sale of health plans that skirt the law’s consumer protections and cutting enrollment outreach. But the Trump administration sees an opportunity to advance its own health care priorities via one part of Obamacare: the Center for Medicare and Medicaid Innovation.”
 - Read more: <https://morningconsult.com/2018/03/09/administration-eyes-new-direction-cms-innovation-office/>
- ***Verma: Meaningful-use overhaul is coming.*** “CMS Administrator Seema Verma said her agency is planning on overhauling its meaningful-use requirements, after years of provider complaints that the program was too burdensome and hard to implement. Specifically, the CMS is looking to reduce time and compliance costs associated with the program. Verma didn't provide any additional details during her speech at HIMSS' annual conference on Tuesday. A CMS spokesman did not return a request for comment on additional details on when or how meaningful use requirements would be overhauled.”
 - Read more: <http://www.modernhealthcare.com/article/20180306/NEWS/180309941>

Articles of Interest

- ***Opioid crisis spurs Medicaid funds push.*** “Doctors, governors and health-care advocates are pressing Congress to lift a decades-old rule that greatly restricts Medicaid from being used to fund care for opioid addiction. Lifting the limits could help thousands of people – but could cost as much as tens of billions of dollars over a decade, a daunting sum to try to pay for.”
 - Read more: <http://thehill.com/policy/healthcare/377081-opioid-crisis-spurs-medicaid-funds-push>

- ***Health insurer Cigna to pay \$67 billion for Express Scripts.*** “Health insurance giant Cigna is buying Express Scripts, the company that administers prescription drug insurance plans for millions of Americans, in a deal worth \$67 billion, including \$15 billion in Express Script’s debts. The proposed combination is the latest in a string of mergers in the health care industry. Drugstore chains, pharmacy benefit managers and insurers are realigning to gain market share, enhance negotiating leverage and cut costs.”
 - Read more: <https://www.npr.org/sections/health-shots/2018/03/08/591840502/health-insurer-cigna-to-pay-67-billion-for-express-scripts>

- ***From the ER to inpatient care – at home.*** “Brigham Health in Boston is one of a slowly growing number of health systems that encourage selected emergency department patients who are acutely ill, but stable and don’t need intensive, round-the-clock care, to opt for hospital-level care at home. This approach is quite common in Australia, England, and Canada, but it’s faced an uphill battle in the United States. A key obstacle, clinicians and policy analysts agree, is getting health insurers, whose systems aren’t generally set up to cover hospital care provided in the home, to pay for it.”
 - Read more: <https://khn.org/news/from-the-er-to-inpatient-care-at-home/>

- ***A lack in affordable care may lead to HIV resurgence.*** “In just five years, from 2011 to 2015, the number of new HIV diagnoses among women in the U.S. fell by 16 percent and HIV-related mortality continues to decline due to the availability of high-quality treatment and prevention tools. But this progress is being jeopardized as women are losing access to affordable health insurance and necessary services. Recent actions by the Trump administration to dismantle the Affordable Care Act of 2010 (ACA) will reduce access to health care for many, and has placed dangerous restrictions on women’s reproductive rights. Additionally, proposed budget cuts to federal health programs will put women’s health at risk.”
 - Read more: <http://thehill.com/opinion/healthcare/377260-a-lack-in-affordable-care-may-lead-to-hiv-resurgence>

- ***For Diabetics, a high-fiber diet feeds gut microbes, lowering blood sugar.*** “New research suggests that dietary fibers actually play a critical role in feeding the trillions of microbes that reside in our bodies, known collectively as the microbiome. And that specifically for people with type 2 diabetes, a high-fiber diet along with a favorable gut microbiome can keep patients’ blood sugar and body weight under control.”
 - Read more: <https://www.statnews.com/2018/03/08/fiber-microbiome-diabetes>
- ***Study: ObamaCare premiums could increase 90 percent over three years for some states.*** “Some states could see ObamaCare premiums increase by 90 percent over the next three years, according to a new study released Wednesday. Every state could see premium increases because of changes the GOP Congress and Trump administration have made to the law, with states in the South and Midwest facing the highest jumps between 2019 and 2021.”
 - Read more: <http://thehill.com/policy/healthcare/377465-study-obamacare-premiums-could-increase-90-percent-over-three-years-for>
- ***UnitedHealthcare to pass drug rebates on to some customers.*** “The nation’s biggest health insurer will pass drugmaker rebates along to some customers starting next year, giving a potential break to those taking expensive prescriptions. UnitedHealthcare said Tuesday it will let people covered by certain employer-sponsored health plans collect rebates when they fill prescriptions or at the point of sale. Those rebates could amount to a few bucks or several hundred dollars, depending on the drug.”
 - Read more: <https://apnews.com/235f1cbe0197446f8bb5deaf99973d47/UnitedHealthcare-to-pass-drug-rebates-on-to-some-customers>
- ***Opioid overdoses in ERs up 30 percent as crisis worsens.*** “Emergency rooms saw a big jump in overdoses from opioids last year — the latest evidence the nation's drug crisis is getting worse. A government report released Tuesday shows overdoses from opioids increased 30 percent late last summer, compared to the same three-month period in 2016. The biggest jumps were in the Midwest and in cities, but increases occurred nationwide.”
 - Read more: <http://www.wral.com/opioid-overdoses-in-ers-up-30-percent-as-crisis-worsens/17397277/>
- ***Amazon offers discount prime membership to Medicaid recipients.*** “Amazon.com Inc said on Wednesday it was expanding its discounted Prime membership offer to Medicaid members, the U.S. government's health insurance program for the poor. The move from the e-commerce giant comes nine months after it said it would offer a discount on its popular Prime subscription service for shoppers who receive U.S. government aid.”

- Read more: <https://www.nytimes.com/reuters/2018/03/07/technology/07reuters-amazon-com-healthcare.html>

- ***Lyft deal with Allscripts lets 180,000 doctors call rides for their new patients.*** “Last week, Uber announced it was rolling out a service aimed at helping healthcare providers summon rides for patients. Now it's Lyft's turn to up the ante. Lyft announced Monday that it is expanding its partnerships with healthcare providers to provide the ride-hailing service to doctors and hospitals who want to arrange transportations for patients who can't get to appointments.”
 - Read more: <https://www.usatoday.com/story/tech/2018/03/05/lyft-deal-allscripts-lets-180-000-doctors-call-rides-their-patients/389122002/>