

**American Nephrology Nurses Association**

**Weekly Capitol Hill Update - Tuesday, March 15th, 2016**

**Congressional Schedule**

**House**

- “Meets at 2 p.m. Monday and will consider 14 bills under suspension of the rules, including five that would extend deadlines for hydroelectric projects. Votes are postponed until 6:30 p.m.” (CQ)
- “Week Ahead: On Tuesday, the House meets at noon for consideration of a bill (H.R. 3797) that would modify emissions standards for power plants using coal refuse and other coal mining by-products. On Wednesday, the House meets at noon. Toward the end of the week the House may take up a bill (H.R. 4596) regarding small business broadband, and a resolution that would allow Speaker Paul Ryan (R-WI) to file a friend-of-the-court brief on behalf of the House in the immigration executive action case at the Supreme Court, *United States v. Texas*.” (CQ)

**Senate**

- “Convenes at 3 p.m. Monday, with a vote on the nomination of John B. King Jr. to be Education secretary scheduled for 5:30 p.m.” (CQ)

**Legislative Updates**

- ***Senate Passes Opioid Bill With No Funding Attached.*** “The Senate easily passed a bipartisan bill aimed at combating opioid misuse and overdose deaths Thursday, but Democrats said the earlier defeat of an emergency funding amendment leaves the legislation essentially powerless. Senators approved the Comprehensive Addiction and Recovery Act with a vote of 94-1. The bill creates grant programs for states to build education programs and develop evidence-based treatment plans. It also expands the availability of naloxone, which can reverse an opioid overdose, and strengthens prescription monitoring programs. The nonpartisan Congressional Budget Office (CBO) has said the bill would establish programs worth \$725 million through 2021. The only vote against the bill was from Sen. Ben Sasse (R-NE). An identical bill is pending in the Republican-led House of Representatives. The White House has said it supports the grant programs but believes the bill would not truly address the epidemic without funding attached. It did not threaten a veto, however.”
  - For the full article, please see the following link: <http://bit.ly/1P86djh>

- ***Democrats Unveil Mental Health Parity Bill.*** “A group of Democratic senators this week introduced a measure aimed at ramping up accountability and enforcement of the mental health parity law. The bill, which has been referred to the Senate Committee on HELP, is a companion measure to a House bill introduced by Rep. Joe Kennedy (D-MA). It's worth noting: A larger mental health reform and opioid abuse treatment bill, sponsored by Chairman Lamar Alexander (R-TN) and ranking member Sen. Patty Murray (D-WA), also includes similar parity enforcement language. That bill will be marked up next week.”
  - For the full article, please see the following link: <http://1.usa.gov/1pwfhcV>
  
- ***Senators Share House Concerns on Medicare Advantage Proposal.*** “Senate Republicans share the concerns of House members on the proposed rates for Medicare Advantage in 2017. In a letter to Andy Slavitt, Acting Administrator of the Centers for Medicare and Medicaid Services (CMS), the group highlighted proposed changes to employer group waiver plans, risk adjustment and encounter data use as changes that “have the potential to create instability in the Medicare Advantage program.” The three areas that the senators targeted were also those of main concern to the bipartisan leaders of two key House committees.”
  - For the full article, please see the following link: <http://bit.ly/1Xq6lk3>
  - For the letter, please see the following link:  
<http://www.finance.senate.gov/imo/media/doc/Senate%20Republicans%20Call%20on%20Administration%20to%20Halt%20Plans%20to%20Cut%20Medicare%20Advantage.pdf>
  
- ***Senators Call On CMS To Investigate \$3B Excess Drug Costs.*** “U.S. presidential hopeful Sen. Bernie Sanders added his signature to those of his Senate colleagues in a recent letter to CMS calling for an investigation into the supposed \$3 billion a year the government and private insurances companies pay for unused cancer medicines. Sanders, fellow independent Sen. Angus King of Maine and nine Democrats sent a letter to CMS and the FDA Thursday following the publication of a Memorial Sloan Kettering Cancer Center study in the British Medical Journal at the beginning of March. According to the study, pharmaceutical companies use standard-size vials for certain cancer drugs like Velcade, even though not every patient needs the same dosage. The practice often leads to unused portions of the vials being discarded and insurers, including Medicaid and Medicare, end up spending \$3 billion more on the drugs than they actually need to, according to the senators.”
  - For the full article, please see the following link: <http://bit.ly/1M2jUW1>

### **Regulatory Updates**

- ***CMS Proposes New Payment Models for Part B Drugs.*** “Concerns that physicians are not prescribing the most cost-effective medications available have prompted the Centers for Medicare and Medicaid Services to propose a set of new potential reimbursement schemes for Part B drugs in Medicare. CMS says the new proposed rule will test new payment approaches to reward good patient outcomes and will inject value into the system. Prescription drug spending in the United States totaled approximately \$457

billion in 2015, or 16.7% of overall health spending, according to a CMS report released on March 8, 2016. In 2015, Medicare Part B spent \$20 billion on outpatient drugs administered by physicians and hospital outpatient departments.”

- For the full article, please see the following link:  
<http://www.biopharminternational.com/cms-proposes-new-payment-models-part-b-drugs>

- **Reminder – TEP Nominations for ESRD Emergency Department Visits Due.** “The University of Michigan Kidney Epidemiology and Cost Center, through its contract with the Centers for Medicare and Medicaid Services, will convene a technical expert panel (TEP) to inform the development of a quality measure(s) related to emergency department (ED) visits. ED visits are common among the dialysis population whom experience an average of 3 ED visits per year. ED visits per se are not a bad outcome such that if patients are experiencing acute complications or an adverse event, facilities are expected to refer the patient for emergency medical services.”
  - Nominations are due by March 21, 2016.
  - Please see the following link for more information:  
<https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/MMS/TechnicalExpertPanels.html#26>

### **Hearings**

- Monday, March 14, 2016

The Energy and Commerce Health Subcommittee will host a hearing titled, “Broad Review of Concussions: Initial Roundtable.” Thirteen panel experts will be present, including leading researcher Ann McKee and Jeff Miller, the NFL's senior vice president of health and safety.

- For more details on the hearing, please see the following link:  
<https://energycommerce.house.gov/hearings-and-votes/event/broad-review-concussions-initial-roundtable>

The full House Energy and Commerce Committee will hold a markup on H.R. 2666 and H.R. 4725, a bill that seeks reductions in spending on Medicaid and the Children’s Health Insurance Plan (CHIP) for \$25 billion over 10 years.

- For more details on the hearing, please see the following link:  
<https://energycommerce.house.gov/hearings-and-votes/markups/energy-and-commerce-committee-vote-hr-2666-and-hr-4725>

- Wednesday, March 16, 2016

The House Ways and Means Health Subcommittee will hold a hearing titled “Preserving and Strengthening Medicare.”

- For more details, please see the following link:  
<http://waysandmeans.house.gov/event/chairman-tiberi-announces-health-subcommittee-hearing-on-preserving-and-strengthening-medicare/>

The Senate HELP Committee will hold a markup on, “The Mental Health Reform Act of 2016, the TREAT Act (S. 1455), the Co-Prescribing Saves Lives Act of 2015 (S. 2256), National All Schedules Prescription Electronic Reporting Reauthorization Act of 2015 (S. 480), and the Plan of Safe Care Improvement Act.”

- For more details, please see the following link:  
[http://www.help.senate.gov/hearings/s\\_-mental-health-reform-act-of-2016-s1455-s2256-s480-s\\_plan-of-safe-care-improvement-act](http://www.help.senate.gov/hearings/s_-mental-health-reform-act-of-2016-s1455-s2256-s480-s_plan-of-safe-care-improvement-act)

- Thursday, March 17, 2016

The House Energy and Commerce Health Subcommittee will hold a hearing titled “Medicare Access and CHIP Reauthorization Act of 2015: Examining Implementation of Medicare Payment Reforms.”

- For more information, please see the following link:  
<https://energycommerce.house.gov/hearings-and-votes/hearings/medicare-access-and-chip-reauthorization-act-2015-examining>

### **Articles of Interest**

- ***Senator Asks Privacy Regulators to Stop Abuse of Nursing Home Residents on Social Media.*** “A U.S. Senator has asked government regulators what, if anything, they’re doing to stop nursing home workers from taking degrading and dehumanizing photos of residents and posting them on social media. In a letter sent Tuesday to the Office for Civil Rights of HHS, U.S. Sen. Tom Carper (D-DE) referenced a ProPublica story from last year that identified about three dozen inappropriate posts by employees of nursing homes and assisted living facilities. Some included naked photos and videos of residents, many of whom have dementia.”
  - For the full article, please see the following link: <http://bit.ly/21rkvm4>
  - For the letter, please see the following link:  
<https://www.propublica.org/documents/item/2753508-Carper-OCR-letter.html>
- ***New Procedure Allows Kidney Transplants From Any Donor.*** “In the anguishing wait for a new kidney, tens of thousands of patients on waiting lists may never find a match because their immune systems will reject almost any transplanted organ. Now, in a large national study that experts are calling revolutionary, researchers have found a way to get them the desperately needed procedure. In the new study, published Wednesday in The New England Journal of Medicine, doctors successfully altered patients’ immune systems to allow them to accept kidneys from incompatible donors. Significantly more of those patients were still alive after eight years than patients who had remained on waiting lists or received a kidney transplanted from a deceased donor.”
  - For the full article, please see the following link:  
<http://www.nytimes.com/2016/03/10/health/kidney-transplant-desensitization-immune-system.html?ref=health&r=0>
- ***Medicaid Rules Can Thwart Immigrants Who Need Dialysis.*** “Carla is just 31, but her kidneys no longer function, damaged by the autoimmune disease lupus, which she’s

had since her early 20s. To stay alive, she needs regular dialysis, but getting treatment has been difficult as an immigrant who entered the country illegally. (Her legal status is why we're not using her last name.) And like the estimated 5,500 immigrants in the U.S. illegally who need dialysis, the only publicly funded insurance she's eligible for is a government program called Emergency Medicaid. But in most states, including Indiana, hospitals can't bill Emergency Medicaid until they know for sure they're dealing with an emergency. So for kidney disease, doctors will often wait until there are dangerous levels of potassium in the blood or fluid in the lungs – levels they deem urgent enough to merit hospitalization.”

- For the full article, please see the following link:  
<http://www.npr.org/sections/health-shots/2016/03/08/469221408/medicaid-rules-can-thwart-immigrants-who-need-dialysis>
- ***U.S. Transplant Policy Should Strengthen Bridges, Not Build Wall.*** “In this issue of the American Journal of Transplantation, Hartsock and colleagues propose a “last in line” policy that grants lower priority for noncitizen nonresidents (NCNRs) who travel to the United States to obtain a liver transplant. In juxtaposition, McEnhill and colleagues report a lower risk of kidney allograft failure in undocumented pediatric US residents compared with US citizens. However, these patients had a higher risk of failure after the age of 21 years, suggesting the need for strategies to foster access to immunosuppressant drugs after they become ineligible for drug coverage in state-sponsored pediatric programs.”
  - For the full article, please see the following link:  
<http://onlinelibrary.wiley.com/doi/10.1111/ajt.13713/full>

#### Other

- ***NURSE Corps Scholarship Program Applications Now Open.*** The application period for the NURSE Corps Scholarship Program is now open. The NURSE Corps Scholarship Program provides, “...scholarships to nursing students in exchange for a minimum 2-year full-time service commitment (or part-time equivalent), at an eligible health care facility with a critical shortage of nurses.”
  - The application submission deadline is May 5, 2016 at 7:30 pm EST.
  - For more information, please see the following link: <http://1.usa.gov/1Ub7gFu>