

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, March 20, 2017

Congressional Schedule

House

- “Convenes at 2 p.m. for consideration of 11 bills under suspension of the rules, including a bill (HR 382) that would change Agriculture Department research grants in a bid to increase participation by women and minorities in STEM fields.” (CQ)
- **Week Ahead:** “On Tuesday the House meets at noon for consideration of a bill (HR 372) that would ensure that antitrust laws are upheld for health insurance and dental insurance companies.” (CQ)

Senate

- “Convenes at 10 a.m. for a pro forma session with no legislative action expected.” (CQ)
- **Week Ahead:** “The Senate meets Tuesday at 10:30 a.m. and at 11:30 a.m. will consider the nominations of Charles R. Breyer and Danny C. Reeves to be members of the U.S. Sentencing Commission. A vote on the nominations, en bloc, is scheduled for noon.” (CQ)

Legislative Updates

- **Week Ahead:**
 - *Week Ahead: House Heads For Thursday Vote on ObamaCare Repeal.* “The House will vote on the GOP's ObamaCare repeal and replace plan Thursday after nearly seven years of trying to take down the healthcare law. But it hasn't come easy - conservatives and moderate Republicans have both rallied against the House GOP health plan from its inception, pushing for changes from leadership and the White House. Leadership finally began to see some movement Friday when members of the conservative Republican Study Committee (RSC) said they would support the bill, after President Trump ensured two significant changes would be added. Those changes would allow states the options of imposing Medicaid work requirements and receiving Medicaid funding through block grants.”
 - To read more: <http://thehill.com/policy/healthcare/324524-week-ahead-house-heads-for-thursday-vote-on-obamacare-repeal>

- ***Republicans Focusing on Health Bill Changes as Leaders Seek Support.*** “House Republicans plan to vote Thursday on a reconciliation bill that would repeal and replace significant parts of the Affordable Care Act, with the House Rules Committee set to mark up the legislation Wednesday. Reps. Tom Cole (R-OK) and Bradley Byrne (R-AL), who both sit on the Rules panel, confirmed the timeline. House Republicans are still working on changes to the bill, dubbed the *American Health Care Act*, but members say they haven’t been informed of any final decisions and it’s not clear when those changes would be rolled out. Major changes include making tax credits to help people afford insurance more generous for low-income people or adults between ages 50 and 64, adding some sort of Medicaid work requirements and adding a block grant option for Medicaid funding.”
 - To read more: <https://morningconsult.com/2017/03/17/republicans-focusing-health-bill-changes-leaders-seek-support/>
- ***Ryan Plans Tweaks to Health-Care Bill to Help Older People.*** “House Speaker Paul Ryan said he would “most likely” bring a health-care bill forward for a floor vote on Thursday, even as he seeks to increase tax credits to help older people buy insurance to tamp down concerns about moderate Republicans. “We believe that we do need to add some additional assistance to people in those older cohorts,” Ryan said of the bill, known as the American Health Care Act, on “Fox News Sunday.” “That’s one of the things we’re looking at.” Ryan defined the group as people in their 50s and 60s who typically face higher health care costs than those in their 20s or 30s. A Congressional Budget Office review of the bill released on March 13 suggested there would be increases in out-of-pocket costs, especially for older people.”
 - To read more: <https://www.bloomberg.com/politics/articles/2017-03-19/ryan-looks-to-thursday-health-care-vote-with-more-elder-pay-help>
- ***HHS, NIH Face Severe Budget Cuts.*** “President Trump released a fiscal 2018 budget plan that would slash funding for the Department of Health and Human Services by 18%, with the National Institutes of Health taking a \$6-billion hit, prompting cries of pain and outrage from the medical and research communities. Earlier in the week, the nonpartisan Congressional Budget Office reported the projected impact on health insurance coverage and the deficit from House Republican's replacement plan for the Affordable Care Act: the ranks of the uninsured will swell by 14 million next year, but some \$337 billion would be shaved from the next 10 years of deficits.”
 - To read more: https://www.medpagetoday.com/Washington-Watch/Washington-Watch/63942?xid=nl_mpt_DHE_2017-03-20&eun=g939522d0r&pos=2
- **Week in Review:**
 - ***White House Squeezes GOP Hard-Liners as Obamacare Vote Nears.*** “The White House began signaling to conservatives this weekend that negotiations are closing on the GOP Obamacare alternative, nudging the far-right to get in line before a crucial Thursday House vote on the bill. During a meeting at Donald

Trump's Mar-a-Lago estate in Florida Saturday, the president's top advisers told three of the most vocal conservative opponents of the bill – Sens. Ted Cruz (R-TX) and Mike Lee (R-UT) and House Freedom Caucus Chairman Mark Meadows (R-NC) – that they agree with some of their demands in principle, according to several sources familiar with the discussions. But it's also become increasingly apparent to the White House that the conservatives' requests, which include phasing out Obamacare's Medicaid expansion earlier and deregulating the insurance industry, are unlikely to pass the Senate."

- To read more: <http://www.politico.com/story/2017/03/trump-obamacare-repeal-conservatives-236237>
- ***G.O.P.'s Health Care Tightrope Winds Through the Blue-Collar Midwest.*** "As Republicans in Washington grapple with how to meet their promise of undoing the greatest expansion of health care coverage since the Great Society, they are struggling with what may be an irreconcilable problem: bridging the vast gulf between the expectations of blue-collar voters like Mr. Waltimire who propelled Mr. Trump to the presidency, and longstanding party orthodoxy that it is not the federal government's role to provide benefits to a wide swath of society. If they push forward the House-drafted health bill, which could come to a vote as early as this coming week, Republicans may honor their vow to repeal what they derided as Obamacare, but also risk doing disproportionate harm to the older, working-class white voters who are increasingly vital to their electoral coalition. Many of those voters live in small Midwestern cities like Defiance and neighboring Bryan, home of a candy company that makes Dum Dum lollipops but has moved many of its jobs to Mexico. Though unemployment is low in the region, where farmland stretches for miles between towns, the slow erosion of manufacturing has taken a toll, and "what's left in our communities are lower-paying jobs," said Dr. Neeraj Kanwal, the president of Defiance Regional Hospital."
 - To read more: <https://www.nytimes.com/2017/03/19/health/republicans-health-care-affordable-care-act-midwest.html?ref=politics&r=0>
- ***Five key Findings from the CBO's Health Care Score.*** "The Congressional Budget Office's (CBO) analysis of the Republican plan to replace ObamaCare is sending shockwaves through Washington. Democrats have seized on the report, while Republicans have been split over whether to attack the CBO's conclusions or focus on the more positive aspects of the analysis. Here are five key findings from the CBO report that is shaking up the ObamaCare debate."
 - To read more: <http://thehill.com/policy/healthcare/323897-five-key-findings-from-the-cbos-healthcare-score>
- ***Shutdown Politics Return to the Senate.*** "Senators are firing the opening salvos in a new fight over funding the government. With President Trump releasing his first budget request Thursday, both parties are preemptively pointing fingers over who would be responsible if Congress misses a deadline in April to avoid a government shutdown. Republicans say it's up to Democrats to play ball, while

Democrats counter that Republicans have to be willing to reject some of Trump's proposals."

- To read more: <http://thehill.com/homenews/senate/324395-shutdown-politics-return-to-the-senate>
- ***Senate Confirms Seema Verma to Head Medicare and Medicaid.*** "President Trump's pick to run Medicare and Medicaid won confirmation Monday from a divided Senate as lawmakers braced for another epic battle over the government's role in health care and society's responsibility toward the vulnerable. Indiana health care consultant Seema Verma, a protégé of Vice President Pence, was approved by a 55-43 vote, largely along party lines. She'll head the Centers for Medicare and Medicaid Services, a \$1 trillion agency that oversees health insurance programs for more than 130 million people, from elderly nursing home residents to newborns. It's part of the Department of Health and Human Services."
 - To read more: <http://www.usatoday.com/story/news/politics/2017/03/13/senate-confirms-trump-pick-to-head-medicare-and-medicaid/99143348/>

Regulatory Updates

- ***Trump Weighs Key Pick for Regulatory Rollback.*** "President Trump is weighing a key nomination as he seeks to roll back federal regulations. The White House is on the verge of naming a new leader for the Office of Information and Regulatory Affairs (OIRA), an agency that vets the work of federal regulators and has the final say on whether their rules are published. Trump has narrowed down his list of potential OIRA administrators to lobbyist Paul Noe and Neomi Rao, an associate law professor at George Mason University, sources say. The administrator will be responsible for implementing the president's push to repeal a number of Obama-era regulations and trim back the federal rulebook."
 - For more information: http://thehill.com/regulation/administration/323507-trump-weighs-key-pick-for-regulatory-rollback?utm_source=&utm_medium=email&utm_campaign=6655
- ***Report: NQF's MAP Recommends HHS Remove Ineffective Quality Measures.*** "The Washington, DC-based National Quality Forum's (NQF) Measure Applications Partnership (MAP) on Thursday issued guidance to the U.S. Department of Health and Human Services (HHS) recommending significant improvements to measure sets used in federal programs. Specifically, the NQF's MAP guidance proposes that HHS consider the future removal of 51 of 240 measures currently used in seven federal healthcare value-based purchasing, public reporting and other programs, or about 20 percent of the metrics HHS uses to determine payment in those seven federal healthcare programs. MAP's analyses and guidance aims to define new ways to ensure quality measurement is improving healthcare for patients while reducing burden for clinicians and other providers. MAP also provides recommendations for improving measure sets used in nine additional federal programs. "In order for the Centers for Medicare & Medicaid Services (CMS) to act on these recommendations, it will likely need to engage in

rulemaking as well as consider other programmatic needs not taken into account by the MAP process," the agency stated in a press release about the report."

- To read more: <http://www.healthcare-informatics.com/news-item/payment/report-nqf-s-map-recommends-hhs-remove-ineffective-quality-measures>
- **Medicare Payment Advisory Commission (MedPAC) Releases Report on Medicare Payment Policy.** "MedPAC released its March 2017 Report to the Congress: Medicare Payment Policy. The report includes MedPAC's analyses of payment adequacy in fee-for-service (FFS) Medicare and provides a review of Medicare Advantage (MA) and the prescription drug benefit, Part D."
 - For the press release: http://www.medpac.gov/docs/default-source/press-releases/mar17_medpac_report_newsrelease.pdf
 - The full report: http://www.medpac.gov/docs/default-source/reports/mar17_entirereport.pdf
 - The report's chapter on Outpatient Dialysis Services: http://www.medpac.gov/docs/default-source/reports/mar17_medpac_ch6.pdf

Articles of Interest

- **Mayo Clinic to Give Preference to Privately Insured over Medicaid, Medicare Patients.** "Mayo Clinic CEO John Noseworthy, MD, told employees in a recent speech that the Rochester, Minn.-based system will "prioritize" patients with private insurance over Medicare and Medicaid beneficiaries if the patients have similar conditions and seek care at the same time, according to the Minneapolis Star Tribune. "We're asking ... if the patient has commercial insurance, or they're Medicaid or Medicare patients and they're equal, that we prioritize the commercial insured patients enough so ... we can be financially strong at the end of the year to continue to advance, advance our mission," Dr. Noseworthy said in the videotaped speech, according to the report. Dr. Noseworthy said Mayo will continue to take all patients, regardless of payer source, and the policy will not apply to patients seeking emergency care."
 - To read more: <http://www.beckershospitalreview.com/finance/mayo-clinic-to-give-preference-to-privately-insured-over-medicare-medicare-patients.html>
- **DaVita: Insurers are Booting Patients using Charity to Pay Premiums.** "Denver-based DaVita, a top national dialysis provider, is now accusing some insurance companies of dumping sick patients who use charitable assistance to pay their premiums. This comes after a lawsuit alleging DaVita is steering poor patients to private insurers because they pay ten times what government plans pay for dialysis treatments. Meanwhile, patients are concerned they are being caught in the middle."
 - To read more: <http://www.thedenverchannel.com/news/local-news/davita-insurers-are-booting-patients-using-charity-to-pay-premiums>

Hearings

Tuesday, March 21st

- The Senate Health, Education, Labor & Pensions Committee will hold a hearing on FDA User Fee Agreements: Improving Medical Product Regulation and Innovation for Patients Part I.
 - 10:00 am, 430 Dirksen Senate Office Building
- The House Energy & Commerce Committee will hold a hearing on Fentanyl: The Next Wave of the Opioid Crisis.
 - 10:15 am, 2123 Rayburn House Office Building.

Wednesday, March 22nd

- The House Rules Committee will hold a hearing on the *American Health Care Act of 2017*.
 - 10:00 am, H-313 The Capitol
- The House Energy & Commerce Committee will hold a hearing on Examining FDA's Prescription Drug User Fee Program.
 - 10:15 am, 2322 Rayburn House Office Building