

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, March 27, 2017

Congressional Schedule

House

- “Convenes at 2 p.m. for consideration of three bills (HR 1117, HR 1214, HR 654), including a measure on earthquake preparedness in the Pacific Northwest.” (CQ)
- **Week Ahead:** “On Tuesday, the House meets at noon for consideration of a resolution (S J Res 34) that would nullify and disapprove of a Federal Communications Commission rule that requires broadband internet service providers to obtain customer approval in order to share their information, including browsing history.” (CQ)

Senate

- “Convenes at 3 p.m. for consideration of the protocol for Montenegro to be added to the 28-member NATO alliance (TD 114-12). Senators will hold the procedural vote on the treaty at 5:30 p.m.” (CQ)

Legislative Updates

- **Reps. Bonamici and Davis Circulating Sign-On Letter to LHHS-ED Appropriators Requesting Support for Title VII Funding.** Representatives Suzanne Bonamici (D-OR) and Rodney Davis (R-IL) are circulating a “Dear Colleague,” asking Members of Congress to sign onto a letter to the Chair and Ranking Member of the Labor, Health and Human Services, and Education Appropriations Subcommittee indicating support for the Health Resources and Services Administration’s Nursing Workforce Development programs (Title VIII of the Public Health Service Act) in Fiscal Year 2018.
 - The Dear Colleague states, “Nurses are integral members of all healthcare teams and are valued for their ability to collaborate with other professionals to meet the needs of patients and to improve the quality of America’s healthcare system. Registered Nurses comprise the largest group of health professionals with nearly 4.0 million licensed providers and students. They offer essential care to patients and their families in diverse delivery settings, including hospitals, long-term care facilities, community centers, schools, workplaces, and patient homes. For over five decades, the Title VIII programs have helped build the supply and distribution of qualified nurses needed in all healthcare settings. The Title VIII programs bolster nursing education at all levels, from entry-level preparation

through graduate study, and provide support for institutions that educate nurses for practice in rural and medically underserved communities.”

- The Sign-on Letter states, “As essential members of the health professions team, Registered Nurses (RNs) and Advanced Practice Registered Nurses (APRNs) comprise the largest sector of the healthcare workforce with nearly four million providers. The RN and APRN pipeline relies on the support provided through the Title VIII programs to advance all aspects of the nursing workforce demand, including education, practice, recruitment, and retention. Title VIII programs bolster education at all levels, from entry-level preparation through graduate study, and also support academic institutions and the nurse faculty who prepare today’s nursing students to be tomorrow’s expert clinicians. It is critical that communities across the country have access to safe, high-quality, and timely care. Title VIII programs advance this endeavor by fostering training and employment opportunities to serve those most in need. For example, in Academic Year 2014-2015, the Title VIII Advanced Education Nursing Traineeship supported 3,008 students, of which 72% were trained in primary care. Additionally, 55% of Title VIII Loan Repayment Program participants working in an underserved area as a condition of loan repayment voluntarily extended their service contracts to continue providing care to these vulnerable populations.”
- **Week in Review:**
 - *Ryan Pulls Healthcare Bill in Face of Widespread Opposition.* “GOP leaders canceled a planned Friday vote on their health insurance overhaul bill, dealing a major setback for Republicans looking to replace the Affordable Care Act and marking the first legislative failure for President Donald Trump. Republican leaders and Trump declared the legislative effort dead and pledged to move on to other agenda items, such as tax reform.”
 - To read more: <https://morningconsult.com/2017/03/24/ryan-pulls-health-care-bill-face-widespread-opposition/>
 - *Freedom Caucus Member Resigns From Group Over Obamacare Rift.* “Rep. Ted Poe (R-Texas) resigned from the House Freedom Caucus over the group's opposition to the Republican plan to repeal and replace Obamacare. "I have resigned from the House Freedom Caucus. In order to deliver on the conservative agenda we have promised the American people for eight years, we must come together to find solutions to move this country forward," Poe wrote in a statement. "Saying no is easy, leading is hard, but that is what we were elected to do. Leaving this caucus will allow me to be a more effective Member of Congress and advocate for the people of Texas. It is time to lead.”
 - To read more: <http://www.politico.com/story/2017/03/freedom-caucus-member-resigns-from-group-over-obamacare-rift-236522>
 - *Planned Parenthood Sees Brief Reprieve After Healthcare Bill Yanked.* “Planned Parenthood, the national health organization that would have lost federal

funding under sweeping healthcare overhaul legislation, views the withdrawal of the bill on Friday as a temporary reprieve, not the end of a threat to its existence. Officials of the organization - long a target of those who oppose its abortion services - anticipate further attempts by Republicans to curb its participation in federally funded public health programs, a major source of its funding. In a major setback for Republican President Donald Trump, U.S. House of Representatives leaders pulled the healthcare bill after a rebellion by Republican moderates and the party's most conservative lawmakers left them short of votes. Democrats were unified against it."

- To read more: <http://www.reuters.com/article/us-usa-obamacare-planned-parenthood-idUSKBN16W00B>

- **Week Ahead:**

- *Trump Tweets: We'll Put Together a Great Plan after Obamacare Explodes.* "President Trump on Saturday took to Twitter to address the failure of the ObamaCare repeal bill, promising a "great healthcare plan FOR THE PEOPLE" eventually. "ObamaCare will explode and we will all get together and piece together a great healthcare plan for THE PEOPLE. Do not worry!" Trump tweeted. It was Trump's first tweet about the GOP's healthcare bill since it was pulled from the House floor Friday after it became apparent the bill would fail. The tweet echoed Trump's words to the media Friday afternoon, when he turned the blame on Democrats."
 - To read more: <http://thehill.com/homenews/administration/325766-trump-tweets-well-put-together-a-great-plan-after-obamacare-explodes>
- *Lawmakers Signal Fight for Healthcare Reform is Not Over.* "Lawmakers on Sunday signaled that the fight for healthcare reform isn't over, despite President Trump being dealt a major defeat when the GOP declined to vote on a healthcare bill that faced failure in the House. The chairman of the conservative House Freedom Caucus – an instrumental group in dooming in the bill – promised Sunday that the failure of the Republican attempt to repeal and replace ObamaCare was not the end of the healthcare debate. Freedom Caucus Chairman Mark Meadows (R-N.C.) was echoed by both Republican and Democratic senators who took to the Sunday political shows to say healthcare is not an issue of the past."
 - To read more: <http://thehill.com/policy/healthcare/325844-lawmakers-signal-fight-for-healthcare-reform-is-not-over>
- *Some Lawmakers Now Look to Bipartisanship on Healthcare.* "The sudden death of legislation to repeal the Affordable Care Act has created an opening for voices from both parties to press for fixes to the acknowledged problems in President Barack Obama's signature health law, as lawmakers and some senior White House officials appealed for bipartisanship. But the White House, still smarting from a disastrous defeat on Friday, appeared uncertain on the path forward. President Trump predicted that "Obamacare will explode" and offered no plan to stop it, but his was not the only voice from the White House. The

president “wants to make sure that people don’t get left behind” in the search for affordable, quality health care, Reince Priebus, the White House chief of staff, said on “Fox News Sunday.” “I think it’s time for our folks to come together,” Mr. Priebus said, adding that it is time to “potentially get a few moderate Democrats on board, as well” as they try to bring down premiums and stabilize insurance markets. That appeal was echoed by Senator Susan Collins of Maine, a moderate Republican who opposed the House Republicans’ health bill and has also worked with Democrats to explore changes to the Affordable Care Act without repealing it.”

- To read more:

<https://www.nytimes.com/2017/03/26/us/politics/bipartisanship-health-care-congress-trump.html>

Regulatory Updates

- ***CMS Technical Expert Panel (TEP) Nominations Now Being Accepted.*** “The Centers for Medicare & Medicaid Services (CMS) has contracted with the University of Michigan Kidney Epidemiology and Cost Center (UM-KECC) to develop a quality measure(s) related to medication reconciliation and management. The contract name is End Stage Renal Disease (ESRD) Quality Measure Development, Maintenance, and Support. The contract number is HHSM-500-2013-13017I. As part of its measure development process, CMS asks measure developers to convene groups of stakeholders and experts who contribute direction and thoughtful input to the measure developer during measure development and maintenance. Medication reconciliation is a process by which an accurate medication list can be created, whereas medication management optimizes drug therapy to improve patient outcomes and minimize drug related problems. In a dialysis facility, this can be a complex task given that there are often multiple prescribers involved and medication regimens are often changed during times of care transition such as at hospital discharge. The CMS Conditions for Coverage specify that it is incumbent upon facility staff to obtain an accurate medication history as part of the patient assessment, however medication discrepancies remain common and impact patient safety as well as cost of care.”
 - The nomination period closes on **April 24th, 2017.**
 - For more information: <https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/MMS/TechnicalExpertPanels.html#ESRDReconciliation>
- ***CMS Delays Two Bundled Payment Programs.*** “Two bundled payment programs from the Centers for Medicare and Medicaid Services' Innovation Center, which had already been delayed, will be further delayed by the Department of Health and Human Services, according to a Federal Register notice. The bundled payment programs for hip and knee replacements was slated to expand Tuesday, while a new stroke and heart attack care program was planned for implementation the same day. Those changes are now being delayed until May 20. Originally, the changes were supposed to take place on Jan. 21, but the Trump administration ordered a 60-day regulatory freeze upon taking office. The news comes as new HHS Secretary Tom Price has said he wanted to review bundled

payment programs. In the past, Price has been a vocal opponent to these types of reimbursement models.”

- For more information: <http://www.healthcarefinancenews.com/news/cms-delays-2-bundled-payment-programs>
- ***FDA Announces Draft Guidance for Delayed Graft Function in Kidney Transplantation.*** “The Food and Drug Administration (FDA or Agency) is announcing the availability of a draft guidance for industry entitled “Delayed Graft Function in Kidney Transplantation: Developing Drugs for Prevention.” The purpose of this guidance is to assist sponsors in the clinical development of drugs for the prevention of delayed graft function (DGF) in kidney transplantation.”
 - For the full federal register notice: <https://s3.amazonaws.com/public-inspection.federalregister.gov/2017-05818.pdf>

Articles of Interest

- ***Vital Signs: Who Won and Lost in the Battle to Repeal Obamacare.*** “After seven years and many promises, Republican leadership failed to get enough votes to pass legislation that would repeal the Affordable Care Act. The American Health Care Act was pulled before a single vote was cast. The move received mixed reactions from many who had a lot at stake under the bill. Here's a quick list of who won and lost as a result of the failed attempt to repeal Obamacare.”
 - To read more: <http://www.modernhealthcare.com/article/20170326/BLOG/170329933>
- ***Many Governors Welcome Demise of GOP Healthcare Bill.*** “Governors of both parties had warned Congress for weeks that the Republican health care bill threatened to saddle their states with big costs and potentially leave millions of people without coverage, especially because of the cutbacks planned to Medicaid. The bill's withdrawal on Friday left in place the status quo under the Affordable Care Act. That was welcomed by several governors in the states that opted to expand Medicaid under former President Barack Obama's law. The Medicaid expansion has provided coverage for 11 million people in the 31 states that accepted it.”
 - To read more: <http://bigstory.ap.org/article/cdc33cf65f6640369c15329a22c73aeb/many-governors-welcome-demise-gop-health-care-bill>
- ***Now What? Options for Consumers as Health Law Drama Fades.*** “As the political drama over health care legislation in Washington fades, the rest of the country faces a more immediate concern: Getting insurance for next year. The Republican health plan designed to replace the Obama-era health law known as the Affordable Care Act would not have taken full effect for a few years anyway – and now it's dead. “We're going to be living with Obamacare for the foreseeable future,” House Speaker Paul Ryan said Friday. That means millions of Americans will have to navigate a current federal health care system that, while not “imploding” as President Donald J. Trump has said, is at least in flux.”

- To read more: <http://abcnews.go.com/Health/wireStory/now-options-year-health-law-drama-fades-46370739>
- ***Bracing for the Fallout of the Health Bill's Collapse.*** “Friday’s collapse of Republican plans to repeal and replace the Affordable Care Act has broad implications not only for the nation’s health care system, but also for the fate of President Trump’s ambitious agenda in his young and chaotic presidency. On Capitol Hill, the failure of newly empowered Republicans to make good on their biggest campaign-year promise exposes the deep divisions that remain in the party. It also, importantly, raises profound dangers ahead of next year’s midterm elections. Taken together, the lessons for the new president and his Republican allies are difficult but necessary if they want to succeed in making progress during the next three and a half years. House Speaker Paul D. Ryan said on Friday that the lesson from defeat is that “doing big things is hard.” Republicans, he said, are eager to “step up our game, to deliver on our promises.”
 - To read more: <https://www.nytimes.com/2017/03/24/us/politics/trump-agenda-obamacare-midterms.html>
- ***American Psychiatric Nurses Association Position Statement on Mental Health.*** “Mental health and substance use problems continue to negatively impact our productivity as a nation. Mental health drives wellness. Sound mental health provides the stable foundation upon which a person can build, in partnership with providers of care as needed, their own long-term physical health and well-being. This in turn leads to healthy communities which meaningfully contribute to society.”
 - To read more: <http://www.apna.org/files/public/Whole-Health-Begins-With-Mental-Health-Position-Paper.pdf>

Hearings

Tuesday, March 28th

- The House Energy & Commerce Committee will hold a hearing on “Examining FDA’s Medical Device User Fee Program.”
 - 10:15 am, 2123 Rayburn House Office Building
- The House Ways and Means Committee will markup a resolution, “Of inquiry directing the Secretary of the Treasury to provide to the House of Representatives the tax returns and other specified financial information of President Donald J. Trump.”
 - 4:00 pm, 1100 Longworth House Office Building

Wednesday, March 29th

- The House Appropriations Labor, Health and Human Services, and Education Subcommittee will hold a hearing on “Budget Hearing - Department of Health and Human Services.”
 - Witnesses will include Secretary of Health and Human Services Tom Price.
 - 10:00 am, 2358-C Rayburn House Office Building