

## American Nephrology Nurses Association

Weekly Capitol Hill Update - Wednesday, March 7, 2018

### Congressional Schedule

#### Senate

- Senate meets at 9:30 am; resumes consideration of S. 2155, the biggest rewrite to financial rules since implementation of Dodd-Frank.

#### House

- House meets at 10 am; set to vote on H.R. 1917, which would block EPA rules on emissions from brick and clay tile manufacturers until all related court challenges are resolved.

### Legislative Update

- **Week in Review**
  - **20 States file lawsuit alleging ObamaCare is unconstitutional.** “A coalition of 20 states has filed a lawsuit alleging ObamaCare is unconstitutional. They’re claiming that since the GOP eliminated the tax penalty associated with the individual mandate, that ObamaCare itself is no longer constitutional. The lawsuit against the federal government, led by Texas Attorney General Ken Paxton (R) and Wisconsin Attorney General Brad Schimel (R), was filed Monday in the U.S. District Court in the Northern District of Texas.”
    - Read more: <http://thehill.com/policy/healthcare/375760-20-states-file-lawsuit-alleging-obamacare-is-unconstitutional>
  - **GOP chairman: Panel reviewing additional legislation to fight opioid crisis.** “House Energy and Commerce Chairman Greg Walden (R-Ore.) detailed additional pieces of opioid legislation the panel will review as it aims to get the bills passed by Memorial Day weekend. At a U.S. Chamber of Commerce event Thursday on combating the opioid epidemic, Walden specifically mentioned three bills the committee will review in its next legislative hearings slated for this month.”

- Read more: <http://thehill.com/policy/healthcare/376294-gop-chairman-panel-reviewing-additional-legislation-to-fight-opioid-crisis>
  - **Study: Trump insurance proposal could lead to 3M people leaving ObamaCare.** “A Trump administration proposal that would allow business to band together to buy insurance would shift more than 3 million enrollees out of ObamaCare’s marketplaces and lead to premium increases, according to a new analysis released Wednesday.”
    - Read more: <http://thehill.com/policy/healthcare/376093-study-trump-insurance-proposal-could-lead-to-3-million-people-leaving>
- **Week Ahead**
  - **Health officials to testify on flu season response.** “A House panel in the coming week will turn its attention to the U.S. public health response to this year’s deadly flu season. The House Energy and Commerce Subcommittee on Oversight and Investigations will hear from the top public health officials, including Food and Drug Administration Commissioner Scott Gottlieb and Anthony Fauci, the director of the National Institutes of Health’s National Institute of Allergy and Infectious Diseases.”
    - Read more: <http://thehill.com/policy/healthcare/376494-week-ahead-azar-hits-the-industry-circuit>
  - **Trump’s health chief warns hospital execs about health care costs: ‘Change is coming’.** “President Trump’s new health secretary issued a warning Monday to a room of hospital executives about soaring health care costs: change is coming, whether you like it or not. Azar said the administration would make an announcement Tuesday about actions it will take to ‘put patients in control of their health data.’”
    - Read more: <http://thehill.com/policy/healthcare/376789-trumps-health-chief-warns-hospital-execs-about-health-care-costs-change-is>
  - **GOP eyes budget maneuver to pay for ObamaCare funds.** “Republicans are weighing whether to use a complicated budget maneuver to help pay for additional ObamaCare funding, sources say. The idea being considered by House Republican leaders is controversial because it would help fund key ObamaCare payments to insurers known as cost-sharing reductions (CSRs) out of its ‘baseline’ for projecting federal spending. Essentially, the agency would stop assuming that the ObamaCare payments would be made.”
    - Read more: <http://thehill.com/policy/healthcare/376145-gop-eyes-budget-maneuver-to-pay-for-obamacare-funds>

- ***Meadows calls for immediate mandate repeal.*** “A top House conservative is calling on Congress to repeal ObamaCare’s individual mandate in time for this year’s tax season. In a letter sent to a House Appropriations Committee subpanel, Freedom Caucus Chairman Rep. Mark Meadows (R-NC) said lawmakers should include a full retroactive repeal of the mandate, and cancel the penalty for the next two years as part of the annual appropriations process.”
  - Read more: <http://thehill.com/policy/healthcare/376468-meadows-calls-for-immediate-mandate-repeal>
  
- ***Manchin unveils bill to change controversial opioid enforcement law.*** “Sen. Joe Manchin (D-W.Va.) unveiled legislation Monday aimed at helping the Drug Enforcement Agency (DEA) improve its ability to stop suspicious shipments of opioids from flooding communities. Manchin’s bill changes a law that drew a firestorm of criticism after an explosive ‘60 Minutes’ and Washington Post investigation reported the bill made it harder for the DEA to freeze opioid shipments from drug companies in the midst of a full-blown crisis.”
  - Read more: <http://thehill.com/policy/healthcare/376809-manchin-introduces-bill-to-change-controversial-opioid-enforcement-law>

### **Regulatory and Administration Update**

- ***White House pushes for conservative changes to ObamaCare fix.*** “The White House is pushing for several conservative policies to be included in a bill aimed at stabilizing ObamaCare, according to an administration memo obtained by The Hill.”
  - Read more: <http://thehill.com/policy/healthcare/377105-white-house-pushes-for-conservative-changes-to-obamacare-fix>
  
- ***White House wants user-friendly electronic health records.*** “The Trump administration Tuesday launched a new effort under the direction of presidential son-in-law Jared Kushner to overcome years of problems with electronic medical records and make them easier for patients to use.”
  - To read more: <http://abcnews.go.com/Health/wireStory/white-house-user-friendly-electronic-health-records-53561961>
  
- ***Trump's health chief warns hospital execs about health care costs: 'Change is coming.'*** “President Trump’s new health secretary issued a warning Monday to a room of hospital executives about soaring health care costs: change is coming, whether you like it or not. Speaking at the Federation of American Hospitals convention in D.C., Health and Human Services (HHS) Secretary Alex Azar laid out a series of actions the administration will take that are aimed at lowering health care costs, and warned that it wouldn’t be deterred by powerful special interests.”

- To read more: <http://thehill.com/policy/healthcare/376789-trumps-health-chief-warns-hospital-execs-about-health-care-costs-change-is>
- **ESRD QIP Quarterly Stakeholder Call.** “On Tuesday, March 20, 2018, from 1:00-2:00 p.m. ET, CMS will host the End-Stage Renal Disease Quality Incentive Program Quarterly Stakeholder Call. The goal of the call is to educate participants on published guidance and other topics related to the End-Stage Renal Disease Quality Incentive Program (ESRD QIP). This session will also provide key industry leaders with the chance to interact with ESRD QIP officials.”
  - If you have questions or concerns, you can email the ESRD QIP Mailbox at [esrdqip@cms.hhs.gov](mailto:esrdqip@cms.hhs.gov).
- **MedPAC Comment on CMS's Advance Notice of Medicare Advantage Payment Policy for 2019.** Feb. 23 letter from the Medicare Payment Advisory Commission to the CMS Administrator. Comments about chronic kidney disease (CKD) are found on page 2 and 3.
  - To read the full letter: [http://www.medpac.gov/docs/default-source/comment-letters/02232018\\_ma\\_py2019\\_advnotice\\_comment\\_v3\\_sec.pdf?sfvrsn=0](http://www.medpac.gov/docs/default-source/comment-letters/02232018_ma_py2019_advnotice_comment_v3_sec.pdf?sfvrsn=0)

### Articles of Interest

- ***New research may explain the link between hemodialysis and brain function decline.*** “A new study reveals that hemodialysis may reduce blood flow to the brain in older patients being treated for kidney failure. The findings, which appear in an upcoming issue of the *Journal of the American Society of Nephrology (JASN)*, may help explain why previous studies have found a link between hemodialysis and worsening cognitive function in elderly patients.”
  - Read more: [https://www.eurekalert.org/pub\\_releases/2018-03/ason-nrm022318.php](https://www.eurekalert.org/pub_releases/2018-03/ason-nrm022318.php)
- ***Diabetes is actually five separate diseases, research suggests.*** “Diabetes – or uncontrolled blood sugar levels – is normally split into type 1 and type 2. But researchers in Sweden and Finland think the more complicated picture they have uncovered will usher in an era of personalized medicine for diabetes.”
  - Read more: <http://www.bbc.com/news/health-43246261>
- ***Jury's In: Opioids Are Not Better Than Other Medicines For Chronic Pain.*** “For many people with chronic pain, opioids can seem like the difference between a full life or one lived in agony. Over the past few decades, they have become go-to drugs for acute pain, but Dr. Erin Krebs, with the Minneapolis Veterans Affairs Health Care System and the University of Minnesota, said research about the effectiveness of opioids for chronic

pain was lacking. Even though millions of people take the drugs for long periods of time, there is little evidence to support that use.”

- To read more: <https://khn.org/news/jurys-in-opioids-are-not-better-than-other-medicines-for-chronic-pain/>
- **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.
  - To read more: <https://apnews.com/235f1cbe0197446f8bb5deaf99973d47/UnitedHealthcare-to-pass-drug-rebates-on-to-some-customers>
- **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.”
  - To read more: <https://www.npr.org/2018/03/07/590217561/probe-into-generic-drug-price-fixing-set-to-widen>
- **From The ER To Inpatient Care – At Home.** “As a “hospital-at-home” patient, Petruzzelli, 71 this week, learned doctors and nurses would come to her home twice a day and perform any needed tests or bloodwork. A wireless patch a little bigger than her index finger would be affixed to her skin to track her vital signs and send a steady stream of data to the hospital. If she had any questions, she could talk face-to-face via video chat anytime with a nurse or doctor at the hospital.”
  - To read more: <https://khn.org/news/from-the-er-to-inpatient-care-at-home/>
- **Major Medical Associations Feud Over Diabetes Guidelines.** “A major medical association today suggested that doctors who treat people with Type 2 diabetes can set less aggressive blood sugar targets. But medical groups that specialize in diabetes sharply disagree. Half a dozen medical groups have looked carefully at the best treatment guidelines for the 29 million Americans who have Type 2 diabetes and have come up with somewhat differing guidelines.”
  - To read more: <https://www.npr.org/sections/health-shots/2018/03/05/590922698/major-medical-associations-feud-over-diabetes-guidelines>
- **HHS Secretary: “There really is no such thing as medical marijuana.”** “U.S. Secretary of Health and Human Services Alex Azar, visiting the Dayton area to learn about

responses to the opioid crisis, said he sees no role for medical marijuana as a pain relief alternative to prescription opioids.”

- To read more: <http://ysnews.com/news/2018/03/hhs-secretary-there-really-is-no-such-thing-as-medical-marijuana>
  
- ***California nurses union leader RoseAnn DeMoro retiring, but remains ‘on call.’*** “Sen. Bernie Sanders calls her “very tough” and “an invaluable ally.” Longtime consumer advocate Ralph Nader praises her as “the greatest labor organizer of her time.” AFL-CIO President Richard Trumka admires her “iron will.” Filmmaker Michael Moore says she is “the pain-in-the-ass labor leader all workers need fighting for them.”
  - To read more: <https://www.sfchronicle.com/politics/article/California-nurses-union-leader-RoseAnn-DeMoro-12725860.php>
  
- ***The guy who battled Republicans over Obamacare is investing in health tech for the 99 percent.*** “Andy Slavitt has been called a renegade, a rabble rouser and a policy wonk. Soon, he might be known by a new title: Venture capitalist. Slavitt made a name for himself as the entrepreneur-turned-Medicare chief who took on Republican lawmakers seeking to repeal the Affordable Care Act.”
  - To read more: <https://www.cnbc.com/2018/03/04/andy-slavitt-ex-medicare-medicaid-chief-becoming-health-investor.html>