

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, April 2, 2018

Congressional Schedule

Senate

- Congress on two-week Easter break; Senate set to return to D.C. the week of April 9.

House

- Congress on two-week Easter break; House set to return to D.C. the week of April 9.

Legislative Update

- **Week in Review**
 - *Dems want GAO probe of new requirements to get Medicaid.* "Two key Democrats are calling for a federal investigation to find out how much it costs the federal government for states to add eligibility requirements to their Medicaid programs. In a letter to the comptroller general, Sen. Ron Wyden (Ore.) and Rep. Frank Pallone Jr. (N.J.), call for a Government Accountability Office (GAO) investigation of the requirements, which are becoming increasingly common under President Trump's Centers for Medicare and Medicaid Services (CMS)."
 - Read more: <http://thehill.com/policy/healthcare/medicaid/380643-dems-want-gao-probe-of-new-requirements-to-get-medicaid>
 - *Medicare drug prices soar at 10 times rate of inflation, Senate report says.* "The prices of the 20 most commonly prescribed brand-name drugs for seniors have risen nearly 10 times more than the annual rate of inflation over the past five years, according to a congressional report released Monday. The new report, called 'Manufactured Crisis: How devastating drug price increases are harming America's seniors,' said the extreme price hikes show the need for further investigation to determine the 'impact on healthcare system costs and financial burdens for the growing U.S. senior population.'"

- Read more: <https://www.cnn.com/2018/03/26/health/report-medicare-drug-prices-soaring/index.html>
 - *Pelosi urges Dems to link GOP tax law to Medicare cuts.* “House Minority Leader Nancy Pelosi (D-Calif.) is urging colleagues to talk to their constituents during the recess about how the GOP tax law could lead to Medicare cuts. It's the latest effort by Pelosi and Democrats to demonize the tax-cut bill, which they argue will starve the government of funds and result in cuts to Medicare and other entitlements.”
 - Read more: <http://thehill.com/policy/finance/380655-pelosi-urges-lawmakers-to-discuss-gop-tax-law-medicare-during-recess>
 - *ASN and AAKP Advocated are on Capitol Hill urging Congress to support KidneyX.* “Advocates from the American Society of Nephrology (ASN) and the American Association of Kidney Patients (AAKP) are meeting with representatives, senators, and their respective staffs [on March 28] to urge Congress to support KidneyX, a new public-private partnership to accelerate innovation in the prevention, diagnosis, and treatment of kidney diseases.”
 - Read more: <http://www.newswise.com/articles/asn-and-aakp-advocates-are-on-capitol-hill-urging-congress-to-support-kidneyx>
 - *National Kidney Foundation applauds bi-partisan funding for kidney health in omnibus spending bill.* “The National Kidney Foundation applauds both Houses of Congress for the bi-partisan agreement to continue funding key kidney disease priorities – priorities which we have actively supported through Congressional meetings, calls, emails and letters from our volunteers and grassroots advocates at the national and local level. We are deeply appreciative to House and Senate leadership for listening to the pleas of kidney patients and for putting their needs above partisan politics.”
 - Read more: <https://www.kidney.org/news/national-kidney-foundation-applauds-bi-partisan-funding-kidney-health-omnibus-spending-bill>
- **Week Ahead**
 - The House and Senate are not in session this week. They will return the week of April 9.
 - *House lawmakers hope to bring opioid legislation to vote before Memorial Day.* “A key House committee will hold the last of three major hearings to address the opioid crisis on April 11, and hopes to bring a legislative package to the floor before the House breaks for Memorial Day on May 24, according to GOP aides on Capitol Hill. The third hearing of the House Energy and Commerce health subcommittee will focus on insurance coverage, payment issues, and

prescription regulations for Medicaid beneficiaries. An initial session focused on enforcement issues and a second discussed public health, treatment, and prevention strategies.”

- Read more: <https://www.statnews.com/2018/03/29/house-opioid-legislation-vote/>
- ***Dems seek to flank Trump on drug prices.*** “Democrats are seeking to co-opt President Trump's message on pharmaceuticals against him and capitalize on voter anger at drug companies in the midterm elections this November. They see attacking high drug prices as a populist message and one that Trump himself showed can work in his campaign in 2016.”
 - Read more: <http://thehill.com/policy/healthcare/380700-dems-seek-to-flank-trump-on-drug-prices>
- ***Lobbyists say bill easing privacy protections for addiction records may be moving ahead.*** “As the House Energy and Commerce Committee is considering more than two dozen bills as part of a bipartisan push to bring a legislative package on opioid addiction to the House floor by Memorial Day, two lobbyists said a controversial measure that would loosen privacy protections for substance abuse records could be included. The bill, H.R.3545, would relax 42 CFR Part 2, a statute that dates back to 1970, which requires a patient to give special, written consent to share substance use disorder records with physicians and hospitals.”
 - Read more: <https://morningconsult.com/2018/03/29/lobbyists-say-bill-easing-privacy-protections-addiction-records-may-be-moving-ahead/>

Regulatory and Administration Update

- ***Azar taps former CVS executive to help lower drug prices.*** “Health and Human Services Secretary Alex Azar is tapping a former CVS Caremark executive to lead the agency’s efforts to lower drug prices. According to HHS, Daniel Best will be Azar’s senior adviser for drug pricing reform. Best was most recently a vice president of industry relations for CVS’s Medicare Part D business. This included the company’s prescription drug plans, Medicare Part D plans and other clients.”
 - Read more: <http://thehill.com/policy/healthcare/other/380889-azar-taps-former-cvs-executive-to-lead-drug-pricing-initiative>
- ***FDA approves DexCom’s glucose monitoring system.*** “The U.S. Food and Drug Administration on Tuesday approved DexCom Inc’s monitoring system to check blood sugar levels in children and adults suffering from diabetes, which can be used along with devices such as insulin pumps.”
 - Read more: <https://www.reuters.com/article/us-dexcom-fda/fda-approves-dexcoms-glucose-monitoring-system-idUSKBN1H32ZJ>

- ***FDA moves to limit ingredients for bulk drug compounding.*** “The U.S. Food and Drug Administration on Friday took steps to restrict what pharmaceutical ingredients large compounding pharmacies can use to manufacture drugs in bulk that do not go through the agency’s approval processes. The agency issued draft guidance that officials said prioritized the use of FDA-approved drugs over more risky, custom-made medicines produced in bulk by certain compounding pharmacies for hospitals and doctors’ offices.”
 - Read more: <https://www.reuters.com/article/us-usa-fda-pharmaceuticals/fda-moves-to-limit-ingredients-for-bulk-drug-compounding-idUSKBN1GZ2TE>
- ***Gottlieb slams PBMs.*** “In a series of tweets on Thursday, FDA Commissioner Scott Gottlieb slammed agreements between brand-name drug manufacturers and PBMs that he said diminished generic competition. Earlier this month, Gottlieb criticized anticompetitive consolidations of PBMs and other industry players in a speech to the trade group America’s Health Insurance Plans (AHIP).”
 - Read more: <https://www.biocentury.com/bc-extra/politics-policy/2018-03-29/gottlieb-slams-pbms>
- ***The government wants to free your health data. Will that unleash innovation?*** “In health care, breakthrough cures are no longer just hidden in the innumerable mysteries of biology and chemistry. Increasingly, they are locked away in a place even harder to access: electronic patient records. But the federal Centers for Medicare and Medicaid Services is seeking to open the data floodgates. The agency wants to put patients in charge of their information instead of the hospitals and insurers that collect it and keep it locked within their own systems. And it wants to do so explicitly to help app and device makers gain access to high-quality data.”
 - Read more: <https://www.statnews.com/2018/03/29/government-health-data-innovation/>

Articles of Interest

- ***It only feels like we’re paying more for health care.*** “Think you’re getting stuck with bigger bills for your routine medical costs, like copayments and deductibles? You might want to look at this chart, based on research from the Medicare Payment Advisory Commission. It shows that, back in 1976, our disco-dancing ancestors paid a way bigger share of own their health care costs than we do today.”
 - Read more: <https://www.axios.com/health-care-spending-less-1522268444-77dee0f7-8890-4df6-9c18-fdea3a060fea.html>
- ***Amazon is already reshaping health care.*** “Without having done much yet, Amazon.com Inc. is already transforming U.S. health care -- and not necessarily for the better. The mere threat of the online giant getting into the health business prompted the country's two largest pharmacy benefit managers -- CVS Health Corp. and Express Scripts Holding Co. -- to join

forces with two of its largest insurers, Aetna Inc. and Cigna Corp. These deals will put more U.S. health care under the control of fewer companies. The merging companies say this will lower costs for consumers and the country. But the reality will likely be less rosy and more complicated.”

- Read more: <https://www.bloomberg.com/gadfly/articles/2018-03-26/amazon-s-health-care-threat-is-already-reshaping-the-industry>
- **Scientists find mini gastrointestinal tract growing inside tumor.** “Embedded in a lung cancer tumor, scientists have found a gastrointestinal tract in miniature. Duke University researchers have observed rudimentary, but functional, stomachs, small intestines, and duodenums growing inside cancerous lungs – illustrating how varied and plastic these metastatic cells can be.”
 - Read more: <https://www.statnews.com/2018/03/29/cancer-tumor-mini-gut/>
- **Prevalence of diagnosed diabetes in adults by diabetes type – United States, 2016.** “In 2016, the estimated prevalences of diagnosed type 1 and type 2 diabetes were 0.55% (corresponding to 1.3 million U.S. adults) and 8.6% (corresponding to 21.0 million U.S. adults), respectively. Type 1 and type 2 diabetes accounted for approximately 6% and 91% of all cases of diagnosed diabetes, respectively. Because the prevalence of type 2 diabetes is so much higher than that of type 1, current diabetes surveillance data that do not distinguish diabetes type are more reflective of persons with type 2 diabetes. Recent analysis of diagnosed diabetes prevalence indicates a plateauing among adults aged 20–79 years (8), but it is not known whether this trend might differ for type 1 diabetes. Because the etiology, treatment, and outcomes of diabetes vary by type, it is important to distinguish between them.”
 - Read more: https://www.cdc.gov/mmwr/volumes/67/wr/mm6712a2.htm?s_cid=mm6712a2_w&utm_source=STAT+Newsletters&utm_campaign=833ceba08-MR&utm_medium=email&utm_term=0_8cab1d7961-833ceba08-150601577
- **Apple’s plan to put health records on your phone has huge implications for medicine.** “Apple announced on Thursday that it has expanded its health records product to 40 health systems and 300 hospitals, and it’s opening it up to all iOS users. That’s rapid growth, but what matters the most is the mission underlying the software. And that’s the revolutionary notion of empowering patients with their own health information.”
 - Read more: <https://www.cnbc.com/2018/03/29/apple-health-records-product-expands-to-40-hospitals-implications.html>
- **Iowa bill allowing plans to skirt Obama’s Affordable Care mandates sent to Gov. Reynolds.** “The Iowa Senate gave final approval Tuesday to controversial legislation that would exempt certain health plans from Affordable Care Act mandates. The legislation combines two proposals backers say would reduce health insurance costs, but critics worry could undermine consumer protections.”

- Read more: <https://www.desmoinesregister.com/story/news/politics/2018/03/27/obamacare-aca-mandates-iowa-legislature-governor-kim-reynolds/462087002/>
- **California's drug transparency law yields early surprises.** "California's first-in-the-nation drug pricing transparency law is beginning to kick in – and to spur copycats, with Oregon's governor last week signing a law that requires drug companies to disclose cost components they have long considered proprietary. California has already pried loose new numbers that may seem *deja vu*: Valeant, a magnet for criticism over past price boosts, is about to raise the price of a generic glaucoma medication by 63 percent, and Teva Pharmaceuticals, the world's biggest generic drugmaker, plans a 49 percent price bump May 1 for an inhaled solution to prevent asthma attacks."
 - Read more: <https://www.politico.com/story/2018/03/25/california-drug-transparency-law-440090>
- **Trends in Obesity and Severe Obesity prevalence in US youth and adults by sex and age, 2007-2008 to 2015-2016.** "Over the most recent decade between 2007-2008 and 2015-2016, increases in obesity and severe obesity prevalence persisted among adults, whereas there were no overall significant trends among youth. Changes in demographics did not explain the observed trends. Limitations include small sample sizes in the youngest age group. Residual bias due to incomplete nonresponse adjustment is possible and may vary with changing response rates. Additional NHANES data will allow continued monitoring of trends in obesity and severe obesity prevalence among US youth and adults."
 - Read more: https://jamanetwork.com/journals/jama/fullarticle/2676543?utm_source=STAT+Newsletters&utm_campaign=20239227db-MR&utm_medium=email&utm_term=0_8cab1d7961-20239227db-150601577
- **Antibiotic-Resistant infection treatment costs have doubled since 2002, now exceeding \$2 billion annually.** "Antibiotic-resistant infections are a global health care concern. The Centers for Disease Control and Prevention estimates that 23,000 Americans with these infections die each year. Rising infection rates add to the costs of health care and compromise the quality of medical and surgical procedures provided. We found that antibiotic resistance added \$1,383 to the cost of treating a patient with a bacterial infection. Using our estimate of the number of such infections in 2014, this amounts to a national cost of \$2.2 billion annually."
 - Read more: <https://www.healthaffairs.org/doi/abs/10.1377/hlthaff.2017.1153>
- **Aetna to pass discounts it gets from drug companies directly to consumers.** "Health insurer Aetna will begin passing discounts it gets on prescription drugs directly to some consumers at the point of sale, the company announced Tuesday. Drug manufacturers often give insurance companies discounts on prescription drugs, but insurers have faced scrutiny over whether they're passing these savings on to patients."

- Read more: <http://thehill.com/policy/healthcare/380419-aenta-to-pass-savings-it-gets-from-drug-companies-directly-to-consumers>
- **California takes on health giant over high costs.** "California's attorney general sued Sutter Health, accusing the hospital giant of illegally quashing competition and for years overcharging consumers and employers. The lawsuit marked a bold move by state Attorney General Xavier Becerra against the dominant health care system in Northern California as concerns mount nationally about consolidation among hospitals, insurers and other industry middlemen."
 - Read more: <https://khn.org/news/california-sues-sutter-health-alleging-excessive-pricing/>
- **Walmart talking with Humana on closer ties; acquisition possible: sources.** "U.S. retailer Walmart Inc is in early-stage talks with health insurer Humana Inc about developing closer ties, with the acquisition of Humana being discussed as one possibility, people familiar with the matter said on Thursday. Should the talks lead to a tieup, it would be the latest deal to bring together a retail chain and a health insurer in the last few months, following CVS Health Corp's \$69 billion deal to acquire Aetna Inc and Cigna Corp's \$54 billion deal to buy Express Scripts Holding Co."
 - Read more: <https://www.reuters.com/article/us-humana-m-a-walmart/walmart-talking-with-humana-on-closer-ties-acquisition-possible-sources-idUSKBN1H53CQ>