

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, April 24, 2017

Congressional Schedule

House

- “Convenes for a pro forma session at noon. No legislative business is expected.” (CQ)
- “**Week Ahead:** Meets at 2 p.m. Tuesday for consideration of eight bills under suspension of the rules, including measures authorizing use of the Capitol grounds for exhibitions and a soap box derby. Wednesday, the House takes up a bill (H.R. 1695) on the selection of the Register of Copyrights. Later this week the House may take up a bill on mortgage giants Fannie Mae and Freddie Mac, sponsored by Rep. Jason Chaffetz, who over recess said he would not run for re-election.” (CQ)

Senate

- “Convenes at 3 p.m. to consider the nomination of Sonny Perdue to be secretary of agriculture. The Senate will vote on confirmation at 5:30 p.m. The Senate will then take a cloture vote on the nomination of Rod J. Rosenstein to be deputy attorney general.”

Legislative Updates

- **Week in Review:**
 - *GOP Lawmakers Told They're Inching Closer to ObamaCare Repeal Deal.* “GOP lawmakers were told on a conference-wide call Saturday that they are getting closer to an agreement between centrists and conservatives that would allow legislation to repeal and replace ObamaCare to pass the House. No deal is in place yet, however, though Republicans speaking on the call said there will be no vote until it's certain the votes are there to pass the legislation.”
 - To read more: <http://thehill.com/policy/healthcare/330073-gop-lawmakers-told-theyre-inching-closer-to-obamacare-repeal-deal>
 - *House Republican Floats Another Deal to Revive Health Care Bill.* “A moderate House Republican is proposing a new deal to secure GOP votes for a health care bill that was pulled before a vote nearly a month ago, but it's unclear whether the latest proposal would bring the party together when several previous efforts have failed. The proposal comes after weeks of talks between Rep. Tom

MacArthur (R-N.J.), a co-chairman of the moderate Tuesday Group, and Rep. Mark Meadows (R-N.C.), chairman of the House Freedom Caucus, a group of ultra-conservative Republicans.”

- To read more: <https://morningconsult.com/2017/04/20/house-republican-floats-another-deal-revive-health-care-bill/>

- ***Surgeon General Dismissed, Replaced by Trump Administration.*** “The White House administration on Friday dismissed U.S. Surgeon General Vivek Murthy, saying it is continuing the process of transitioning to new leadership. “Today, Dr. Murthy, the leader of the U.S. Public Health Service Commissioned Corps, was asked to resign from his duties as Surgeon General after assisting in a smooth transition into the new Trump Administration,” the U.S. Department of Health and Human Services said in a statement.”

- To read more: <https://www.usatoday.com/story/news/2017/04/21/surgeon-general-dismissed-replaced-trump-administration/100767454/>

- **Week Ahead:**

- ***White House Pressures GOP Leaders on Obamacare Showdown Next Week.*** “A frantic and impatient White House is pressuring House GOP leaders for another showdown vote on repealing Obamacare next week so it can notch a legislative win before President Donald Trump’s first 100 days in office. But while the outlines of a possible deal are starting to come together, it’s far from clear that House Republican leaders have found the sweet spot to pass their embattled alternative health plan... Indeed, the vote is not currently on the calendar. Nor do Republican insiders think it’s even possible, as Congress will reconvene Tuesday after a two-week Easter recess. That would leave them with one day to whip votes – an unlikely time frame for such a heavy legislative lift. “The question is whether it can get 216 votes in the House, and the answer isn’t clear at this time,” a senior GOP aide said. “There is no legislative text and therefore no agreement to do a whip count on.””

- There are four vacancies in the House of Representatives, meaning that the threshold to pass a bill is 216 votes as opposed to 218 as is typical.

- To read more: <http://www.politico.com/story/2017/04/20/obamacare-repeal-republicans-new-deal-237397>

- ***Ryan: Focus is on Keeping Government Open, Not Healthcare.*** “Speaker Paul Ryan (R-Wis.) pledged Saturday to focus on passing a spending bill to keep the government open in the coming week, while Republicans continue to work on legislation to repeal and replace ObamaCare. During a conference call, Ryan told House Republicans that while healthcare is still a priority, the spending bill will be the “primary focus” of the coming week, according to a GOP source on the call. Despite White House suggestions that the new healthcare bill might receive a vote next week, Ryan said that his priority is to pass a stopgap spending bill that will keep the government open past April 28.”

- To read more: <http://thehill.com/policy/finance/330083-ryan-makes-no-promises-on-healthcare-pledges-to-keep-government-open-report>
- ***Will the Government Be Open in a Week? Here Are the Dividing Lines.***

“Congressional leaders and White House officials have steered the nation to the brink of a government shutdown that virtually all parties agree would be a terrible idea. While lawmakers seem eager to forge a deal before government funding expires Friday, the Trump administration wants to use the deadline as a point of leverage that Democrats – and at least a few Republicans – do not believe they have, raising the prospects of a shutdown that had seemed unlikely. President Trump’s team is straining to demonstrate progress on key campaign promises like money for a border wall and increased military spending, hoping to project success before Mr. Trump’s 100th day in office on Saturday. But any measure will require bipartisan support, and Democrats are unlikely to budge. The standoff continues a Washington trend, as banal now as it is nonsensical to veterans of the Capitol: legislative cliff-jumping in the name of brinkmanship, frustration or some combination thereof, with no clear endgame.”

 - To read more: <https://www.nytimes.com/2017/04/23/us/politics/government-shutdown-congress-trump-administration.html>
- ***Senate Panel to Vote Next Week on FDA Commissioner.*** “The Senate Health, Education, Labor and Pensions Committee will vote Wednesday on the nomination of Scott Gottlieb to serve as the commissioner of the Food and Drug Administration. If confirmed, Gottlieb, a former deputy commissioner at the FDA, would oversee an agency that President Donald Trump has vowed to reform.”
 - To read more: <https://morningconsult.com/2017/04/19/senate-panel-vote-next-week-fda-commissioner/>

Regulatory Updates

- ***Oregon Proposed Rule for LPN and RN Documentation.*** “Notice of the Board of Nursing announces an additional hearing and reopening of the comment period for an Oct. 24, 2016, proposed rule to amend regulations under OAR 851-045-0030 through -0100 (nonconsecutive), adopt regulations under OAR 851-045-0035 and repeal regulations under OAR 851-045-0080 regarding standards and scope of practice for licensed practical nurses (LPNs) and registered nurses (RNs). The rule adds standards for documentation and licensee practice role disclosure, revises standards for accepting and implementing orders for client care and treatment, clarifies scope of practice standards for LPNs and RNs, and updates definitions. The rule also clarifies conditions regarding conduct derogatory to the practice of nursing and the duty to report and adds requirements for RNs in the role of registered first assistant in surgery. In addition, the rule updates standards for RNs employed by schools, including training standards for administering lifesaving treatments. Finally, the rule removes standards regarding denial and revocation of licensure due to criminal conviction history or falsification of an application.”

- The hearing is scheduled for June 13, 2017, in Portland. Comments are due June 13, 2017.
- Contact: Peggy Lightfoot; Board of Nursing; 971-673-0638; peggy.lightfoot@state.or.us
- ***Oregon Proposed Board of Nursing Public Records Charges.*** “Proposed rule of the Board of Nursing repeals regulations under OAR 851-002-0060 to eliminate the board's specific public records charges. The rule is issued in response to Executive Order 16-06 which requires agencies to utilize Department of Administrative Services standard rates.”
 - A hearing is scheduled for June 15, 2017, in Portland. Comments are due June 15, 2017.
 - Contact: Peggy Lightfoot; Board of Nursing; 971-673-0638; peggy.lightfoot@state.or.us
- ***Ohio Proposed Rule for Dialysis Services.*** “Proposed rule of the Department of Medicaid amends regulations under OAC 5160-1-60, Appendix, concerning Medicaid payment policies for services provided by professional, noninstitutional providers. The rule incorporates payment changes for services provided in dialysis clinics, community mental health centers and facilities certified by the Department of Mental Health and Addiction Services. The rule also incorporates 2017 updates to the Current Procedural Terminology and Healthcare Common Procedure Coding System.”
 - A hearing is scheduled for May 15, 2017, in Columbus.
 - Comments are due May 15, 2017. Contact: Tommi Potter; Department of Medicaid; 614-752-3877.
- ***Free Continuing Education Webinar from the CDC: Infections in Dialysis Centers: Understanding What Matters to Patients.*** Presentations will highlight perspectives on healthcare-associated infections (HAIs):
 - Patient perspectives on the prevention and management of infectious disease in hemodialysis centers
 - Approaches to engage dialysis patients in their care and in research
 - Strategies to engage hemodialysis patients in infection prevention: a patient’s perspective
 - Featured speakers include:
 - **Allison Tong, MPH, MM, PhD;** Associate Professor, Principal Research Fellow, Sydney School of Public Health, The University of Sydney-Australia
 - **Mark Unruh, MD, MS;** Professor and Chair, Department of Internal Medicine, Solomon, Gardner & Sterling Chair Section Chief, New Mexico VA Health System, Associate Director UNM Clinical and Translation Science Center, University of New Mexico School of Medicine
 - **Ronald J. Krokey;** Patient Advocate, Former Dialysis Patient
 - The webinar will take place on Tuesday, May 2nd from 3:00-4:00 EDT.
 - For more information and to register: <https://cc.readytalk.com/r/ty1y33hzgvbl&eom>

- ***Insurers Tell Seema Verma Number One Concern is Cost-Sharing Reduction Payments.*** “Health insurers who met with the head of the Centers for Medicare and Medicaid Services on Tuesday received no assurances of continued federal cost-sharing reduction payments. In the meeting with insurers, CMS Administrator Seema Verma made no commitment to continue the payments, according to The Hill.”
 - To read more: <http://www.healthcarefinancenews.com/news/insurance-executives-meet-seema-verma>
- ***Nation's Insurance Commissioners Tell Congress to Support CSR Payments.*** “The nation’s state insurance commissioners have added their voice to those urging Congress to fully fund federal payments to insurers which participate in the Affordable Care Act marketplaces. Writing on behalf of the nation’s state insurance commissioners, the insurance commission heads in Wisconsin, Tennessee and Maine urged House Speaker Paul Ryan and other majority leaders, as well as Minority Leader Nancy Pelosi and Democrats, to fund the cost-sharing reduction payments for 2017 in the upcoming budget resolution, and to fully fund the program in 2018. “Your action is critical to the viability and stability of the individual health insurance markets in a significant number of states across the country,” they wrote. “The one concern carriers consistently raise as they consider whether to participate and how much to charge in 2018 is the uncertainty surrounding the federal cost-sharing reduction payments.””
 - To read more: <http://www.healthcarefinancenews.com/news/nations-insurance-commissioners-tell-congress-support-csr-payments>

Articles of Interest

- ***Health Care In America: An Employment Bonanza And A Runaway-Cost Crisis.*** “In many ways, the health care industry has been a great friend to the U.S. economy. Its plentiful jobs helped lift the country out of the Great Recession and, partly due to the Affordable Care Act, it now employs 1 in 9 Americans – up from 1 in 12 in 2000. As President Donald Trump seeks to fulfill his campaign pledge to create millions more jobs, the industry would seem a promising place to turn. But the business mogul also campaigned to repeal Obamacare and lower health care costs – a potentially serious job killer. It’s a dilemma: One promise could run headlong into the other.”
 - To read more: <http://khn.org/news/health-care-in-america-an-employment-bonanza-and-a-runaway-cost-crisis/>
- ***Top White House Officials to Meet With Biotech Executives and Researchers.*** “Almost a dozen top administration officials, including the vice president and two Trump family members, are scheduled to meet next month with drug companies and government scientific researchers at the White House. Vice President Mike Pence, President Donald Trump’s daughter Ivanka Trump and his son-in-law Jared Kushner will attend the May 8 summit, along with the head of the U.S. National Institutes of Health, executives from Celgene Corp. and Regeneron Pharmaceuticals Inc., and leaders of top research universities and hospitals. The meeting is described as a chance for “private sector and thought leaders to describe their institution and its connection to federal funding.””
 - To read more: <https://www.bloomberg.com/politics/articles/2017-04-21/white-house-to-meet-biotech-research-chiefs-after-cuts-proposed>

- ***GOP Plan To Trim Insurance Benefits Might Not Tame Premiums.*** “As House Republicans try to find common cause on a bill to repeal and replace the Affordable Care Act, they may be ready to let states make the ultimate decision about whether to keep a key provision in the federal health law that conservatives believe is raising insurance costs... At the heart of those negotiations is the law’s requirement that most insurance plans offer 10 specific categories of “essential health benefits.” They include hospital care, doctor and outpatient visits and prescription drug coverage, along with things like maternity care, mental health and preventive care services... But health analysts and economists say that eliminating those benefits probably won't bring premiums down – at least not in the way conservatives are hoping.”
 - To read more: <http://www.npr.org/sections/health-shots/2017/04/21/524889538/gop-plan-to-trim-insurance-benefits-might-not-tame-premiums>

- ***The ACA Marketplaces Aren't Imploding.*** “President Trump and many Republicans in Congress say the Affordable Care Act is “imploding” due to some health insurer exits and higher premiums in the individual market. S&P Global Ratings analysts looked at financial data at Blue Cross and Blue Shield companies, which serve as the anchors for most ACA marketplaces. S&P reported the Blues’ gross profit margins for the individual market went up in 2016. The Kaiser Family Foundation also found that insurance companies improved the financial stability of their ACA plans in 2016, although a lot of uncertainty remains in the marketplaces.”
 - To read more: <https://www.axios.com/the-affordable-care-act-isnt-imploding-2372483987.html>