

## American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, May 1, 2017

### Congressional Schedule

#### *House*

- “Convenes at 2 p.m. for consideration of six bills under suspension of the rules, including a measure (HR 1644) on sanctions for North Korea.” (CQ)
- “**Week Ahead:** The House will take up a measure (HR 1180) on overtime pay and compensatory time.” (CQ)

#### *Senate*

- “Convenes at 3 p.m. to resume considering the nomination of Jay Clayton to be a member of the Securities and Exchange Commission. The Senate will hold a cloture vote on the nomination at 5:30 p.m.”

### Legislative Updates

- **Week in Review:**
  - *Trump Administration Says It Will Continue Insurer Payments, for Now.* “President Donald Trump’s administration told lawmakers Wednesday it will continue to fund cost-sharing reduction payments to insurers, eliminating a major hurdle for congressional negotiators working on a deal to fund the government past Friday.”
    - To read more: <https://morningconsult.com/2017/04/26/trump-administration-says-will-continue-insurer-payments-now/>
  - *House Freedom Caucus Endorses GOP Health Bill With Amendment.* “The ultra-conservative House Freedom Caucus on Wednesday announced its support for the Republican health care bill as long as it includes an amendment from moderate Rep. Tom MacArthur (R-N.J.). Their support shifts the onus to moderates to also back the bill and follow through on campaign promises to repeal the Affordable Care Act, even as some worry the amendment could leave the sickest Americans worse off.”
    - To read more: <https://morningconsult.com/2017/04/26/house-freedom-caucus-endorses-gop-health-bill-amendment/>

- *Health Law Repeal Will Miss Trump's 100-Day Target Date.* “An 11th-hour White House push to give President Trump a major legislative victory in his first 100 days in office broke down late Thursday as House Republican leaders failed to round up enough votes for their bill to repeal the Affordable Care Act. Some White House officials had hoped for a vote on Friday on a measure to prove that Mr. Trump was making good on his promise to undo the sweeping health law — President Barack Obama’s signature domestic achievement — in his first 100 days in office.”
  - To read more: [https://www.nytimes.com/2017/04/27/us/politics/republicans-propose-short-term-funding-plan-to-avert-shutdown.html?\\_r=2/](https://www.nytimes.com/2017/04/27/us/politics/republicans-propose-short-term-funding-plan-to-avert-shutdown.html?_r=2/)
- **Week Ahead:**
  - *GOP May Again Change Health Care Proposal As They Seek Votes.* “House Republicans still hope to vote on their health care overhaul next week, though lawmakers said Friday they may need further changes to scrape together enough votes to pass it. Rep. Tom MacArthur of New Jersey, who authored an amendment that won the support of hardline conservatives earlier in the week, acknowledged Friday that Republicans are discussing changes to his language. He declined to specify what those changes might include. “I’m open to any good idea that gets us across the line,” he said. Several lawmakers are seeking policy changes that could persuade a few holdouts to support the bill, Republicans said. But Energy and Commerce Chairman Greg Walden confirmed his committee is not examining those changes yet. House Freedom Caucus Chairman Mark Meadows of North Carolina, who was involved in negotiations, said he hasn’t been asked to review any additional language.”
    - To read more: <http://www.rollcall.com/news/policy/gop-may-change-health-care-proposal-seek-votes#sthash.8AJSn28l.dpuf/>
  - *Trump on health care: Pre-existing conditions will be covered.* “President Donald Trump insisted Sunday that the latest revision of his health care bill would guarantee coverage to individuals with pre-existing conditions — a shift from language in the Republican replacement bill circulating in the House. “ We actually have a clause that guarantees,” Trump told “Face the Nation” host John Dickerson in a wide-ranging interview that aired Sunday morning and covered everything from health care to his views on North Korea to his feelings about the presidency, with the first 100 days under his belt.”
    - To read more: <http://www.politico.com/story/2017/04/30/trump-health-care-preexisting-237805/>
  - *Priebus hoping for healthcare vote this week.* “White House chief of staff Reince Priebus said early Monday that he believes there will be a healthcare vote this week. Priebus also said he thinks there will be enough votes to pass the revised GOP legislation. Priebus said the measure, if Congress passes it this week, “will be one of the fastest pieces of signature legislation to go through for a president since Roosevelt.””

- To read more: <http://thehill.com/homenews/administration/331341-priebus-hoping-for-healthcare-vote-this-week/>
- *Patient groups denounce 'inadequate' and 'unaffordable' GOP health bill.* “Ten leading patient advocacy groups on Monday denounced the revised GOP healthcare bill as “inadequate” and “unaffordable” for people with major medical conditions. The American Cancer Society Cancer Action Network, the American Heart Association and others criticized the latest changes to the American Health Care Act (AHCA) allowing states to apply for waivers to certain ObamaCare provisions.”
  - To read more: <http://thehill.com/policy/healthcare/331375-patient-groups-denounce-inadequate-unaffordable-gop-health-bill/>
- *Congress strikes deal on funding for 2017 to avoid shutdown.* “Congressional negotiators have signed off on a deal to fund the government through September, avoiding a shutdown of federal agencies over a dispute on President Trump’s border wall and other issues, according to two senior congressional aides. The legislation does not provide funding for construction of a wall along the U.S.-Mexico border or eliminate money for so-called sanctuary cities that do not fully cooperate with federal immigration law, according to a summary provided by a senior congressional aide. Nor does it cut funding for Planned Parenthood. These are major victories for Senate Democratic Leader Charles Schumer and House Democratic Leader Nancy Pelosi (Calif.), who threatened to block the bill over what they considered “poison pill” riders.”
  - To read more: <http://thehill.com/homenews/senate/331332-congress-has-deal-to-fund-government-through-september/>
  - Funding for the **National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK)**: \$2.020 billion.
    - This is \$52 million more than the FY 2016 enacted level, and a 2.65% increase from FY 2016 to FY 2017.
  - Other highlights via *Nursing Community*:
    - **Title VIII Nursing Workforce Development Programs**: \$229.472 million (level funding with FY 2016)
    - **National Institute of Nursing Research (NINR)**: \$150.273 million (increase of \$3.8 million)

Overall agency funding levels compared to FY 2016:

  - \$161 billion in discretionary funding for Labor, Health and Human Services and Education (LHHS-ED): \$934 million less than the FY 2016 enacted level
  - Department of Health and Human Services: \$73.5 billion (increase of \$2.8 billion)
  - Centers for Disease Control and Prevention: \$7.3 billion (increase of \$22 million). Includes \$112 million (increase of \$42 million) to expand efforts to combat opioid prescription abuse and misuse
  - Substance Abuse and Mental Health Services Administration: \$3.6 billion (increase of \$130.5 million). Includes \$650 million for initiatives aimed at addressing the nation’s opioid addiction crisis

- Health Resources and Services Administration: \$6.4 billion (increase of \$77 million)
  - National Institutes of Health : \$34.084 billion (increase of \$2 billion), which includes \$352 million through the 21<sup>st</sup> Century Cures Act of 2017
- *NIH to get a \$2 billion funding boost as Congress rebuffs Trump's call for cuts.* "The National Institutes of Health will get a \$2 billion funding boost over the next five months, under a bipartisan spending deal reached late Sunday night in Congress. The agreement marks a sharp rejection of President Trump's proposal to cut \$1.2 billion from the medical research agency in the current fiscal year. The deal does not address funding for 2018, when Trump has called for a slashing the NIH's budget by about a fifth, or \$5.8 billion."
    - To read more: <https://www.statnews.com/2017/05/01/nih-funding-congress-trump/>

### Regulatory Updates

- *Senate Panel Advances Trump's FDA Nominee.* "A Senate panel on Thursday advanced President Donald Trump's nominee to head the Food and Drug Administration to the Senate floor over the objection of most Democrats on the committee. The Senate Health, Education, Labor and Pensions Committee approved Scott Gottlieb, a former deputy commissioner at the FDA, in a 14-9 vote."
  - To read more: <https://morningconsult.com/2017/04/27/senate-panel-advances-trumps-fda-nominee/>
- *With Obamacare in doubt, California asks insurers to double up on rate filings.* "Health insurers seeking regulatory approval for 2018 individual insurance plans can file two sets of premium rates as a way to deal with market uncertainty created by Republicans' promise to repeal and replace Obamacare, a California state insurance regulator said on Friday. California Insurance Commissioner Dave Jones told insurers in a letter made public on Friday that they can file a set of lower rates based on the continued enforcement of the Affordable Care Act, Democratic former President Barack Obama's signature legislation, and the continuation of government subsidies next year. Insurers can also file rates that reflect uncertainty over the continuation of Obama-era policies, he said, by specifying the costs associated with losing the government funding for cost-sharing subsidies that members use to reduce out-of-pocket expenses and the requirement that all Americans have insurance."
  - To read more: <http://www.reuters.com/article/us-usa-healthcare-rates-idUSKBN17U2SV/>
- *Important Concerns about the State Waiver Process.* "On Tuesday evening, legislative language emerged regarding a proposal negotiated by conservative and centrist House Republicans. The proposal, which would further amend the Obamacare "repeal-and-replace" legislation, would allow states to waive some (but not all) of the law's major insurance regulations. Some conservatives may have philosophical concerns with this approach, on several levels. It perpetuates a federal regulatory regime for health

insurance, maintaining Obamacare as the default option. Not only does the bill take the position that “If you like your Obamacare, you can keep it,” it ensures that states will keep Obamacare unless and until they affirmatively do something to opt out of the law – a position that turns federalism on its head.”

- To read more: <http://www.chrisjacobshc.com/2017/04/26/important-concerns-about-the-state-waiver-process/>

### **Articles of Interest**

- ***In groundbreaking trials, surgeons to use infected kidneys for transplants.*** “Transplant surgeons at two US hospitals are about to do something long considered taboo: put kidneys from donors with hepatitis C into recipients without the infection. In first-in-the-world clinical trials scheduled to launch later this spring, independent teams from the University of Pennsylvania and Johns Hopkins University will take kidneys from deceased carriers of the hep C virus, put them into patients with renal failure, and then give them a 12-week course of an antiviral therapy in the hopes that they will emerge infection-free.”
  - To read more: <https://www.statnews.com/2016/03/18/kidney-transplant-hepatitis-c/>
- ***With Anthem-Cigna All But Dead, M&A Speculation Is Back On.*** “With the Anthem Inc.-Cigna Corp. merger now all but dead, speculation about the next health-insurance megadeal -- and the Trump administration’s tolerance for such transactions -- has begun. Anthem’s \$48 billion plan to buy Cigna and the now-defunct \$37 billion deal that would have combined Aetna Inc. and Humana Inc. were both shot down by former President Barack Obama’s justice department on antitrust grounds. Yet analysts say either Anthem or Cigna could make a move on Humana, which specializes in the fast-growing business of selling private health plans for the elderly.”
  - To read more: <https://www.bloomberg.com/news/articles/2017-04-28/with-anthem-cigna-all-but-dead-m-a-speculation-is-back-on/>
- ***Facing a financial squeeze, hospitals nationwide are cutting jobs.*** “Hospitals nationwide are cutting jobs amid a whirlwind of financial pressures – and sharp fears about the direction Republicans will steer health care policy. Just in the past month, hospitals in 10 states, from Kentucky to Minnesota to New Mexico, have made public plans for staff reductions. In the largest such announcement, a prominent Boston hospital – Brigham and Women’s, which is affiliated with Harvard – last week said it will offer voluntary buyouts to 1,600 workers and may lay off staff later in the year.”
  - To read more: <https://www.statnews.com/2017/04/30/hospitals-layoffs-national/>
- ***Discovery of unsterile tools forces BAMC to close operating rooms, reduce surgeries.*** “Brooke Army Medical Center, the flagship of the Army’s health system and famous for its burn ward that has treated hundreds of war victims, has closed more than half its operating rooms and reduced elective surgeries after it found improper sterilization last month of instruments in 73 cases, including 16 incidents in which fragments of organic material such as bone, skin or blood were left on surgical tools.”

- To read more: <http://www.expressnews.com/news/local/article/Discovery-of-unsterile-tools-forces-BAMC-to-close-11109467.php?cmpid=twitter-premium/>

### **Hearings**

#### **Tuesday, May 2nd**

- The House Energy and Commerce Subcommittee on Health will hold a hearing on “Examining Improvements to the Regulation of Medical Technologies.”
  - 10:00 a.m., 2123 Rayburn House Office Building
- The House Energy and Commerce Subcommittee on Oversight and Investigations will hold a hearing on “Combating Waste, Fraud, and Abuse in Medicaid’s Personal Care Services Program.”
  - 10:15 a.m., 2322 Rayburn House Office Building
- The House Veterans' Affairs Subcommittee on Health will hold a hearing on “VA Specialized Services: Lower Extremity Conditions.”
  - 2:00 p.m., 334 Cannon House Office Building

#### **Thursday, May 4th**

- The Senate Appropriations Subcommittee on Military Construction, Veterans Affairs and Related Agencies will hold a hearing on “Telemedicine in the VA: Leveraging Technology to Increase Access, Improve Health Outcomes, and Lower Costs.”
  - 10:30 a.m., 124 Dirksen Senate Office Building