

**American Nephrology Nurses Association**

**Weekly Capitol Hill Update - Tuesday, May 16, 2017**

**Congressional Schedule**

*House*

- “Convenes at 2 p.m. for legislative business and is scheduled to consider four measures under suspension of the rules related to law enforcement and first responders. Among them is a bill (HR 1428) related to hiring and training veterans for law enforcement jobs and a measure (HR 1616) that would formally authorize the National Computer Forensics Institute, which trains law enforcement, prosecutors and judges on cybercrime.” (CQ)
- **“Week Ahead:** Debates a number of bills with a law enforcement theme, including a measure that would authorize probation officers to make arrests (HR 1039). A more contentious bill on the schedule (HR 115) would add targeting, murder or attempted murder of law enforcement officers to the list of aggravating factors courts and juries use to determine whether a death sentence is justified.” (CQ)

*Senate*

- “Convenes at 10 a.m. and is expected to resume consideration of the nomination of Jeffrey Rosen to be deputy Transportation secretary. The chamber is scheduled to recess from 12:30 to 2:15 p.m. for weekly caucus lunches.” (CQ)
- **“Week Ahead:** The chamber is expected to take a cloture vote on the nomination of Rachel Brand to be associate attorney general.” (CQ)

**Legislative Updates**

- **Week in Review:**
  - *52 ways to repeal Obamacare: The Senate has no shortage of Republican working groups and plans to scrap Obamacare.* “Senate Republicans want to do their own Obamacare repeal plan – but nearly all 52 Republicans have their own ideas about how it should look. With his razor-thin majority, Majority Leader Mitch McConnell can afford to lose only two GOP votes. That turns each senator into a de facto powerbroker with the ability to shape – or kill – legislation simply by aligning with two other members.”

- To read more: <http://www.politico.com/story/2017/05/11/52-ways-to-repeal-obamacare-238248>
  - ***CBO Score Release Timeline Leaves Senators Waiting.*** “The Congressional Budget Office on Wednesday said it would release its analysis of the House-passed health care bill early in the week of May 22, leaving Republican senators with their hands tied as they seek to craft their own version of the American Health Care Act. The Senate bill must achieve the same deficit savings as the measure the House approved last week, according to the budget resolution rules, meaning senators will likely have to wait several weeks to make final decisions on their bill to repeal and replace the Affordable Care Act.”
    - To read more: <https://morningconsult.com/2017/05/10/cbo-score-release-timeline-leaves-senators-waiting/>
  - ***FDA User Fee Reauthorization Clears Hurdle In Senate With Bipartisan Support.*** “On Thursday, May 11, the Senate Committee on Health, Education, Labor and Pensions marked up the proposed Food and Drug Administration (FDA) user fee reauthorization bill and voted 21-2 to advance it to the full Senate. The bill would reauthorize the fee system for the FDA’s approval of drugs, medical devices, generic drugs, and biosimilars. Recognizing both the must-pass nature of the bill and the partisan climate in Congress right now, the committee and its staff smartly managed to keep the bill fairly clean, adding few non-funding related provisions relative to some past user fee agreements (UFAs).”
    - To read more: <http://healthaffairs.org/blog/2017/05/15/fda-user-fee-reauthorization-clears-hurdle-in-senate-with-bipartisan-support/>
  - ***Gottlieb confirmed as FDA chief.*** “The Senate confirmed Scott Gottlieb as FDA commissioner Tuesday, thrusting the conservative drug industry insider into the heated debate over rising drug costs that President Donald Trump has pledged to address. Gottlieb, a former FDA and CMS official in the George W. Bush administration, sailed through confirmation on a 57-42 vote. He’ll lead a 15,000 person, \$5 billion agency that approves drugs, vaccines, medical devices and regulates tobacco, cosmetics and food.”
    - To read more: <http://www.politico.com/story/2017/05/09/drugs-fda-commmissioner-238172>
- **Week Ahead:**
  - ***Senate plugs away on health bill.*** “All eyes are on the Senate as the upper chamber works to hash out an agreement on healthcare. But leaders aren’t making any promises on getting it through before the August recess, despite pressure from House Republicans and the Trump administration. Sen. John Cornyn (R-Texas), the Senate’s No. 2 Republican, wouldn’t commit to a specific timeline when pressed by reporters on Tuesday, only saying it would be completed this year.”
    - To read more: <http://thehill.com/policy/healthcare/333177-week-ahead-senate-continues-healthcare-slog>

- ***GOP health care working group runs into early obstacles.*** “Republican senators are grappling this week with how they can find consensus between their moderate and conservative factions on health care while still managing to get the 50 votes they need to gut the Affordable Care Act. It's tough math and although it is early in the process, so far the GOP's health care working group -- a collection of 13 GOP senators -- has already encountered some of the same hurdles that hindered the House's efforts, which struggled for weeks to collect enough votes to pass.”
  - To read more: <http://www.cnn.com/2017/05/15/politics/congress-health-care-senate/>
  
- ***Hearing seeks better care for Medicare enrollees with chronic conditions.*** “The Senate Finance Committee is slated to hold a hearing Tuesday on legislation aimed at improving care for Medicare beneficiaries with chronic conditions. The Creating High-Quality Results and Outcomes Necessary to Improve Chronic (CHRONIC) Care Act of 2017 was introduced April 6 and has 14 bipartisan co-sponsors. Witnesses at the hearing include providers, federal lawmakers and health think-tank staff. ”
  - To read more: <http://www.modernhealthcare.com/article/20170513/MAGAZINE/170519929>

### Regulatory Updates

- ***Trump administration appoints new AHRQ director.*** “Gopal Khanna has been tapped as the new director of the Agency for Healthcare Research and Quality, according to an email Tuesday from the agency's acting director Dr. Sharon Arnold. The AHRQ, which has a budget of \$470 million this year, supports research that improves affordability and quality of healthcare services. Khanna's appointment likely signals that the AHRQ won't be consolidated with the National Institutes of Health – at least for now.”
  - To read more: <http://www.modernhealthcare.com/article/20170509/NEWS/170509864>
  
- ***CMS extends compliance date for Medicaid home care rule.*** “The Trump administration will delay an Obama-era rule that changed what states considered home and community-based settings. The rule is meant to encourage states to use Medicaid funds to keep the elderly and beneficiaries with physical or mental disabilities out of nursing homes. States had until March 17, 2019, to implement a federally approved plan that would meet the new setting requirements.”
  - To read more: <http://www.modernhealthcare.com/article/20170510/NEWS/170519987>
  
- ***CMS to Let Small Businesses Bypass Obamacare Marketplace.*** “The Trump administration plans to let small businesses bypass the Affordable Care Act’s online marketplace to get health insurance for their employees. Obamacare was meant to offer better insurance options for small businesses through the Small Business Health Options

Program while rewarding companies with tax credits for offering insurance to their employees. But enrollment in SHOP plans fell drastically below expectations. Just 230,000 Americans were insured in the plans as of January, less than one-tenth of the Congressional Budget Office's estimate of 4 million covered by this year."

- To read more: <https://morningconsult.com/2017/05/15/cms-let-small-businesses-bypass-obamacare-marketplace/>
- **HHS releases checklist for state Obamacare waivers.** "The Department of Health and Human Services on Tuesday released a [checklist](#) for states that choose to seek waivers from certain Obamacare requirements. Through the waivers, commonly known as "innovation waivers" or 1332 waivers, states can ask the federal government to allow them to set up high-risk pools, reinsurance programs or another proposal that would reduce costs for customers or allow for more people to be covered."
  - To read more: <http://www.washingtonexaminer.com/hhs-releases-checklist-for-state-obamacare-waivers/article/2623216>

### Articles of Interest

- **America's Nurses: Cutting through the red tape to solve the home health care riddle.** "Every day, nearly 12 million Americans receive quality primary care and chronic care management at home. Studies have shown that patients recuperating from illness, injury, or surgical procedures heal more quickly and successfully when recovering at home, versus in a medical facility. Additionally, these patient-centered services can improve quality of life and reduce hospital readmissions. That's why it's important to ensure patients – especially Medicare beneficiaries – have timely access to home health care services."
  - To read more: <http://thehill.com/blogs/congress-blog/healthcare/333114-americas-nurses-cutting-through-the-red-tape-to-solve-the-home>
- **Industry Hopeful Senate Health Care Debate Focuses on Policy, Not Politics.** "The health care industry is hopeful senators will be more receptive to outside groups than their House colleagues were, as the Senate takes the reins on overhauling the Affordable Care Act. While House lawmakers largely brushed off health groups' criticism of the American Health Care Act, which the chamber narrowly passed last week, lobbyists and consultants say they expect the Senate to move more slowly in its attempt to repeal and replace the 2010 law, opening up a chance for more input."
  - To read more: <https://morningconsult.com/2017/05/11/industry-hopeful-senates-health-care-deliberations-focus-on-policy-not-politics/>
- **Abandoning Obamacare, Aetna Withdraws From Last Two States.** "Aetna Inc., which has signaled for months that mounting financial losses would force its exit from Obamacare, announced Wednesday it is quitting the remaining two states in which it participated. The Hartford insurer said it will not offer on- or off-exchange individual plans in Delaware or Nebraska in 2018. Aetna had previously announced it will not offer plans in Iowa and Virginia next year."
  - To read more: <http://www.courant.com/business/hc-aetna-obamacare-exit-20170510-story.html>

- ***Progress reducing US uninsured rate comes to a halt.*** “Five years of progress reducing the number of Americans without health insurance has come to a halt, according to a government report out Tuesday. More than a factoid, it shows the stakes in the Republican drive to roll back the Affordable Care Act. The report from the Centers for Disease Control and Prevention estimates that 28.6 million people were uninsured in 2016, unchanged from 2015. It was the first year since passage of the health care overhaul in 2010 that the number of uninsured did not budge.”
  - To read more: <https://apnews.com/17c668def7df47eda079799846076371/Gov't-report-Efforts-to-reduce-US-uninsured-stalled-in-2016>
  
- ***House Budget chair to push for Medicaid changes.*** “House Budget Committee Chairwoman Rep. Diane Black (R-Tenn.) says she hopes to get changes in Medicaid payments into next year’s budget. “I intend to push for a change in the Medicaid reimbursement rate in our upcoming budget resolution to ensure that Medicaid dollars are used to properly support our most vulnerable citizens,” Black wrote in a RealClearPolitics op-ed Monday.”
  - To read more: <http://thehill.com/policy/healthcare/333415-house-budget-chair-to-push-for-medicaid-changes>
  
- ***Trump taking aim at drug pricing.*** “The Trump administration is working on actions it can take without Congress to fight high drug prices, according to people who have attended listening sessions that officials are holding on the issue. It is unclear what exactly the administration will do or how consequential the measures will actually be. But the prospect of changes has the pharmaceutical industry, a powerful lobbying force in Washington, facing some unpredictability.”
  - To read more: <http://thehill.com/policy/healthcare/333518-trump-taking-aim-at-drug-pricing>
  
- ***Heroin Epidemic Is Driving A Spike In Hepatitis C Cases, CDC Says.*** “The number of new Hepatitis C cases leaped nearly 300 percent from 2010 to 2015, according to a report released Thursday by the Centers for Disease Control and Prevention. And the CDC points to the likely culprit behind the spike in cases of the infectious disease: the use of heroin and other injection drugs. And despite the existence of therapies that can cure more than 90 percent of infections, the organization says the disease remains a deadly threat. In 2013, for instance, the CDC says some 19,000 people died of their infections.”
  - To read more: <http://www.npr.org/sections/thetwo-way/2017/05/11/528004120/heroin-epidemic-is-driving-a-spike-in-hepatitis-c-cases-cdc-says>
  
- ***Supreme Court sides with nursing home in arbitration case.*** “The Supreme Court sided with a Kentucky nursing home Monday in a case challenging the use of forced arbitration agreements in nursing home admissions. In a 7-1 ruling, the justices said the lower court violated the Federal Arbitration Act when it declined to give effect to the agreements Beverly Wellner and Janis Clark had signed with power of attorney on behalf of their relatives.”

- To read more: <http://thehill.com/regulation/court-battles/333417-supreme-court-sides-with-nursing-home-in-arbitration-case>

### **Hearings and Markups**

#### **Tuesday, May 16th**

- The Senate Finance Committee will hold a hearing on “Examining Bipartisan Medicare Policies that Improve Care for Patients with Chronic Conditions.”
  - 10:00 a.m., 215 Dirksen Senate Office Building

#### **Wednesday, May 17th**

- The House Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies will hold a hearing on “Advances in Biomedical Research.”
  - 10:00 a.m., 2358-C Rayburn House Office Building
- The House Energy and Commerce Subcommittee on Health will hold a hearing on “Examining Initiatives to Advance Public Health,” including H.R.767, the SOAR to Health and Wellness Act of 2017; H.R.931, the Firefighter Cancer 5 Registry Act of 2017; and H.R.1876, the Good Samaritan 5 Health Professionals Act of 2017.
  - 10:15 a.m., 2322 Rayburn House Office Building
- The Senate Veterans' Affairs Committee will hold a hearing on pending veterans' health care and benefits legislation.
  - 2:30 p.m., 418 Russell Senate Office Building

#### **Thursday, May 18th**

- The House Ways and Means Subcommittee on Health will hold a hearing on the “Current Status of the Medicare Program, Payment Systems, and Extenders.”
  - 2:00 p.m., 1100 Longworth House Office Building

### **Other Events of Interest**

#### **Wednesday, May 17th**

- CDC and Partners Free Continuing Education Webinar: “Sepsis Standard Work: Improving Compliance with Early Recognition and Management of Perinatal Sepsis”
  - Register now for this free webinar with continuing education hosted by CDC in partnership with the Society of Critical Care Medicine, the American Nurses Association, and the Association of Women's Health, Obstetric & Neonatal Nurses. Leading sepsis experts will discuss CDC’s recent sepsis [Vital Signs](#) and protocols for early recognition of maternal sepsis.
  - Featured speakers:
    - Elizabeth Rochin, PhD, RN, NE-BC; Vice President of Nursing, Education and Practice; Association of Women's Health, Obstetric and Neonatal Nurses
    - Seun Ross, DNP, MSN, CRNP-F, NP-C, NEA-BC; Director of Nursing Practice and Work Environment, American Nurses Association

- Sean Townsend, MD; Vice President of Quality & Safety, California Pacific Medical Center
  - Lauren Epstein, MD, MSc; Medical Officer, CDC's Division of Healthcare Quality Promotion
  - Katarina Lanner-Cusin, MD; Medical Director Women's Services, Sutter Health, Alta Bates Summit Medical Center, Berkeley, California
  - Lori Olvera, DNP, RNC-OB, EFM-C; Bedside Nurse, Anderson Lucchetti Women's and Children Hospital; Kaiser Permanente
- 11:00am - 12:00pm ET
  - Register and view the detailed agenda here:  
<https://cc.readytalk.com/r/6zd9diuewkfo&eom>