

## American Nephrology Nurses Association

Weekly Capitol Hill Update - Tuesday, May 7, 2019

### Congressional Schedule

#### Senate

- Senate is in Session all week.

#### House

- House is in session starting Tuesday, 5/7.

### Legislative Update

- **Week in Review**
  - ***\$10 Million for KidneyX Included in 2020 House Appropriations Bill:***  
Announced during the 2019 inaugural KidneyX Summit, the House Appropriations Committee released the draft Fiscal Year 2020 funding bill for Labor, Health and Human Services, Education, and Related Agencies (LHHS). Importantly for the Kidney Innovation Accelerator (KidneyX), \$10 million has been included in the bill for KidneyX, the public-private partnership between HHS and ASN “to accelerate the development and adoption of novel therapies and technologies to improve the diagnosis and treatment of kidney diseases.”
    - Read more: <https://www.kidneynews.org/policy-advocacy/leading-edge/10-million-for-kidneyx-included-in-2020-house-appropriations-bill>
  - ***'Medicare for All' gets boost from first congressional hearing:*** “Progressive Democrats scored a victory of sorts Tuesday when Congress held its first hearing on “Medicare for All,” the left’s ambitious proposal to reshape the American health care system. Supporters of the legislation had been requesting a hearing for months, and the first public discussion was held in the House, albeit in the nontraditional setting of the Rules Committee, whose jurisdiction is not specific to health care.”
    - Read more: <https://thehill.com/policy/healthcare/441493-medicare-for-all-gets-boost-from-first-congressional-hearing>

- ***Progressives push House chairmen to go bolder on drug pricing:*** “Progressive House Democrats pushed two powerful committee chairmen on Tuesday to go bolder on legislation aimed at lowering drug prices. During a meeting, the Congressional Progressive Caucus urged House Energy and Commerce Committee Chairman Frank Pallone Jr. (D-N.J.) and House Ways and Means Committee Chairman Richard Neal (D-Mass.) to support a far-reaching drug pricing bill that would allow the government to strip drug companies of their monopolies if they refuse to sell drugs at a reasonable price.”
  - Read more: <https://thehill.com/policy/healthcare/441436-progressives-push-house-chairmen-to-go-bolder-on-drug-pricing>
  
- ***‘Medicare for All’ Gets Much-Awaited Report. Both Sides Can Claim Victory.:*** “The Congressional Budget Office published a much-awaited paper about the possible design of a single-payer or “Medicare for all” system in the United States. The budget office most often provides detailed estimates about the cost of legislation. But anyone looking for many numbers in Wednesday’s long report would be disappointed. Instead, the nonpartisan office noted the many ways that legislators could devise such a system, outlining the cost and policy effects of a wide range of difficult choices. It also noted that such a system would be so different from the country’s current situation that any hard estimates would be difficult, even with all the specifics laid out.
  - Read more: <https://www.nytimes.com/2019/05/01/upshot/medicare-for-all-cbo-report.html>
  - Report: <https://www.cbo.gov/system/files/2019-05/55150-singlepayer.pdf>
  
- ***Trump, GOP states ask appeals court to kill ‘Obamacare’:*** “Taking a harder line on health care, the Trump administration joined a coalition of Republican-led states Wednesday in asking a federal appeals court to entirely overturn former President Barack Obama’s signature health care law — a decision that could leave millions uninsured. Congress rendered the Affordable Care Act completely unconstitutional in 2017 by eliminating an unpopular tax penalty for not having insurance, the administration and GOP states told the court.”
  - Read more: <https://www.apnews.com/efa83263fe184710911a043434d0987d>

- **Week Ahead**

- ***Hearing on Implementing the 21st Century Cures Act: Making Electronic Health Information Available to Patients and Providers, Part II.*** “The U.S. Senate Committee on Health, Education, Labor and Pensions will discuss the 21st Century Cures Act on 5/7/19 at 10:00 am in 430 Dirksen Senate Office Building”
  - Read more: <https://www.help.senate.gov/hearings/implementing-the-21st-century-cures-act-making-electronic-health-information-available-to-patients-and-providers-part-ii>

- ***Senate Hearing on Intellectual Property and the Price of Prescription Drugs: Balancing Innovation and Competition:*** “The U.S. Senate Committee on the Judiciary will hold a hearing 5/7/19 at 10:00 am in 226 Dirksen Senate Office Building to discuss Prescription Drug Pricing.”
  - Read more: <https://www.judiciary.senate.gov/meetings/intellectual-property-and-the-price-of-prescription-drugs-balancing-innovation-and-competition>

### **Regulatory and Administration Update**

- ***Justice Department offers first arguments to strike down ObamaCare.*** “The Justice Department on Wednesday made its first full argument in federal court that the Affordable Care Act in its entirety “should not be allowed to remain in effect,” according to CNN. In the filing in the 5th U.S. Circuit Court of Appeals, Assistant Attorney General Joseph Hunt reportedly said the Trump administration has abandoned its earlier position that parts of the law could remain in effect even if its individual mandate were thrown out.
  - Read more: <https://thehill.com/policy/healthcare/441760-justice-department-offers-first-arguments-to-strike-down-obamacare>
- ***CBO: 7 Million More Uninsured After ObamaCare Mandate Repeal:*** “The repeal of ObamaCare’s individual mandate will result in 7 million more people without health insurance by 2021, according to new estimates from the Congressional Budget Office (CBO). That number is far lower than the agency’s 2017 estimate that 13 million people would be uninsured by 2027, which came as Congress was debating the GOP tax bill.”
  - Read more: <https://thehill.com/policy/healthcare/441888-cbo-repealing-mandate-penalty-increases-uninsured-by-7-million>
- ***FDA Approves First Treatment for all Genotypes of Hepatitis C in Pediatric Patients:*** “The U.S. Food and Drug Administration today approved Mavyret (glecaprevir and pibrentasvir) tablets to treat all six genotypes of hepatitis C virus (HCV) in children ages 12 to 17. Mavyret was previously approved to treat HCV in adults in 2017. “Direct-acting antiviral drugs reduce the amount of HCV in the body by preventing the virus from multiplying, and in most cases, they cure HCV infection,” said Jeffrey Murray, M.D., M.P.H., deputy director of the Division of Antiviral Products in the FDA’s Center for Drug Evaluation and Research. “Today’s approval represents another treatment option for children and adolescents with HCV infection, but for the first time, in all genotypes of HCV.”
  - Read more: <https://www.fda.gov/news-events/press-announcements/fda-approves-first-treatment-all-genotypes-hepatitis-c-pediatric-patients>
- ***FDA Grants Breakthrough Device Designation to KidneyIntelIX™:*** “Renalytix AI plc (AIM: RENX), a developer of artificial intelligence-enabled clinical diagnostics for kidney disease, announces that it has been granted Breakthrough Device designation by the U.S. Food and Drug Administration (FDA), for its lead diagnostic, KidneyIntelIX™. This is the first such designation for an AI-enabled diagnostic for kidney disease publicly announced by any company.”

- Read more: <https://www.newswise.com/articles/fda-grants-breakthrough-device-designation-to-kidneyintex>
- ***U.S. Health Officials Unveil Experiment to Overhaul Primary Care.*** “Federal health officials on Monday unveiled a new primary care experiment that seeks to pay doctors for providing stepped-up services that keep patients healthy and out of the hospital, an effort they say will transform basic medical services for tens of millions of American patients. The initiative, called CMS Primary Cares, includes five new payment options for small and large providers, allowing them to take varying levels of financial responsibility for improving care and lowering costs. It broadly seeks to change how primary care is delivered in the U.S. by rewarding doctors for improving management of patients with chronic illnesses such as diabetes and high blood pressure, and averting expensive trips to the hospital.”
  - Read more: <https://www.statnews.com/2019/04/22/us-health-officials-overhaul-primary-care/>
- ***Social Security Policies Related to Medicare: A Primer.*** “People with kidney disease and kidney failure may have access to Medicare and disability benefits that require knowledge of certain Social Security policies. These policies apply to patients whether they are doing in-center or home dialysis – and some may allow those on dialysis who qualify for disability due to ESRD to keep disability benefits and keep Medicare longer in some cases after a transplant. The following policies are ones that relate to problems social workers have posted on the National Kidney Foundation’s CNSW listserv.”
  - Read more: <https://homedialysis.org/news-and-research/blog/307-social-security-policies-related-to-medicare-a-primer>
- ***Hospitals Sue over New National Liver Transplant Policy.*** “Hospitals and patients have sued to block a new nationwide liver transplant policy that they say will waste viable livers, lead to fewer transplants and likely cause deaths. The U.S. Department of Health and Human Services and the United Network for Organ Sharing hastily adopted the new policy and based it on faulty assumptions, according to the suit filed Monday in Atlanta federal court.”
  - Read more: <https://www.apnews.com/59a564e232234ef9a4b9b9c6f4552f0f>

#### Articles of Interest

- ***Is Insulin’s High Cost Keeping Diabetes Patients From Taking Their Medicine?:*** “High prescription drug prices are fast becoming a leading political topic, with medications like insulin emerging as a poster child for the issue. Nearly doubling in price from 2012 to 2016, the diabetes medication has commanded bipartisan attention on Capitol Hill and even a shoutout in a recent Netflix comedy special. Voters say curbing such prices should be a top priority for lawmakers – and Democratic presidential candidates are paying attention. At an April 22 CNN town hall, Sen. Kamala Harris (D-Calif.), among the field of Democrats vying for the 2020 nomination, responded to a health care question by spotlighting insulin’s spiraling price tag.”
  - Read more: <https://khn.org/news/is-insulins-high-cost-keeping-diabetes-patients-from-taking-their-medicine/>

- **Statement of American Society of Nephrology President Mark E. Rosenberg, MD, FASN, on Fiscal Year 2020 Proposed Budget of \$41.1 Billion for the National Institutes of Health:** “On behalf of the more than 40 million children, adolescents, and adults living with kidney diseases in the United States, the American Society of Nephrology (ASN) applauds the House Labor, Health and Human Services, Education, and Related Agencies Appropriations (LHHS) Subcommittee for their support of a Fiscal Year 2020 budget of \$41.1 billion for the National Institutes of Health (NIH), an increase of \$2 billion above the 2019 enacted level. ASN represents more than 20,000 physicians, scientists, nurses, and other health professionals dedicated to treating and studying kidney diseases to improve the lives of people with kidney diseases.”

  - Read more: <https://www.newswise.com/articles/statement-of-american-society-of-nephrology-president-mark-e-rosenberg-md-fasn-on-fiscal-year-2020-proposed-budget-of-41-1-billion-for-the-national-institutes-of-health>
- **Direct Care Plans could Alleviate Problems of High Deductible Plans – if Congress Would Fix the Law:** The plain truth is that an insurance card in your wallet is less meaningful when coupled with a \$5,000 deductible and a 20 percent co-insurance obligation. The problem is especially acute for those with chronic and pre-existing conditions – the very people the Affordable Care Act was supposed to help. They may have coverage for those conditions, but if doctor visits are cost-prohibitive, they don’t have care. Health savings accounts (HSAs) are meant to help bridge this gap. HSAs are accounts that use pre-tax dollars for qualified medical expenses, when coupled with HDHPs. Yet HSAs “are not sufficient to resolve the problem alone,” as Health Affairs points out.”

  - Read more: <https://thehill.com/opinion/healthcare/440972-direct-care-plans-could-alleviate-problem-of-high-deductible-plans-and>
- **Fairness in liver transplants can be a constitutional issue:** “Liver failure is a terrible way to die: a painful belly full of fluid, vomiting blood, mental confusion, and repeated hospitalizations. The only cure is liver transplantation but, as is the case for all types of transplants, there aren’t nearly enough donor livers to go around. This shortage raises two important questions: Who should receive a transplant? And what rights do transplant candidates have?”

  - Read more: <https://www.statnews.com/2019/04/29/fairness-liver-transplants-constitution/>
- **FL lawmakers pass broad healthcare changes easing hospital rules, adding drug imports:** “State lawmakers approved sweeping healthcare changes Monday that will overturn long-standing regulations on building or expanding hospitals and allow the state to pursue importing foreign drugs, as well as make several other changes long sought by conservatives in the Legislature. The votes signal success for several agenda items House Speaker José Oliva, R-Miami Lakes, has outlined in healthcare this session, and the bills are expected to become law as they head now to Gov. Ron DeSantis’ desk.

  - Read more: <https://www.miamiherald.com/news/politics-government/state-politics/article229719314.html>

- ***Diabetic Amputations A 'Shameful Metric' Of Inadequate Care:*** “For decades now, the American medical establishment has known how to manage diabetes. Even as the number of people living with the illness continues to climb – today, estimated at more than 30 million nationwide – the prognosis for those with access to good health care has become far less dire. With the right medication, diet and lifestyle changes, patients can learn to manage their diabetes and lead robust lives. Yet across the country, surgeons still perform tens of thousands of diabetic amputations each year. It’s a drastic procedure that stands as a powerful example of the consequences of being poor, uninsured and cut off from a routine system of quality health care. ”

  - Read more: <https://khn.org/news/diabetic-amputations-a-shameful-metric-of-inadequate-care/>
  
- ***Demanding Medicare for All, Nurses Use Band-Aids to Plaster GoFundMe Pages to Big Pharma Headquarters:*** “Hundreds of nurses and their allies from across the country rallied Monday outside the headquarters of the pharmaceutical industry's top lobbying group and plastered the GoFundMe pages of Americans "suffering in an immoral healthcare system" to the building's walls and windows.”

  - Read more: <https://www.commondreams.org/news/2019/04/29/demanding-medicare-all-nurses-use-band-aids-plaster-gofundme-pages-big-pharma>
  
- ***National Nurses Week recognizes the professionals Americans trust most:*** “Nurses consistently rank at the top of the country’s most trusted professionals. And this week, America celebrates them. National Nurses Week begins on National Nurses Day, May 6, and concludes on May 12, the birthday of Florence Nightingale.”

  - Read more: <https://www.cnn.com/2019/05/06/health/national-nurses-week-trnd/index.html>
  
- ***For Nurses, Trauma Can Come With the Job:*** “Mental health experts now recognize that PTSD can indeed affect nurses, both military and civilian. As many as 28 percent of nurses experience PTSD at some point in their careers, said Meredith Mealer, an associate professor at the Anschutz Medical Campus at the University of Colorado, Denver, though health care providers still often struggle to treat it.”

  - Read more: <https://www.nytimes.com/2019/05/07/well/live/for-nurses-trauma-can-come-with-the-job.html?smid=nytcore-ios-share>