

## American Nephrology Nurses Association

Weekly Capitol Hill Update – Tuesday, June 25, 2019

### Congressional Schedule

#### Senate

- Senate is in Session all week.

#### House

- House is in Session from June 24 – June 27

### Legislative Update

- **Week in Review**
  - ***U.S. Senator Tina Smith Announces Bold Legislation to Bring Down Price of Insulin, Hold Manufacturers Accountable:*** “Today, U.S. Senator Tina Smith (D-Minn.) – joined by Minnesotan Nicole Smith-Holt who tragically lost her son, Alec, when the high price of insulin forced him to ration his supply – announced plans to introduce legislation to hold insulin manufacturers accountable for excessive increases in the price of life-sustaining insulin. Sen. Smith, a member of the Senate Health Committee, made her announcement at a Minneapolis community health center, where she met with Minnesotans struggling to afford skyrocketing insulin prices, including advocates Lija Greenseid and Quinn Nystrom. Sen. Smith said her new bill will be introduced next week in remembrance of the anniversary of Alec Smith’s passing. Sen. Smith’s Emergency Access to Insulin Act would provide emergency access to insulin for people in Minnesota and across the country who can’t afford the skyrocketing price of the drug that they need to stay alive.”
    - <https://www.smith.senate.gov/us-senator-tina-smith-announces-bold-legislation-bring-down-price-insulin-hold-manufacturers>
  - ***Trump signs order that aims to reveal real health care costs:***  
“WASHINGTON (AP) – President Donald Trump signed an executive

order Monday that calls for upfront disclosure by hospitals of actual prices for common tests and procedures to help keep costs down . The idea is to give patients practical information that they can use to save money. For example, if a hospital charges your insurer \$3,500 for a type of echocardiogram and the same test costs \$550 in a doctor’s office, you might go for the lower-price procedure to save on copays. But insurers said the idea could backfire, prompting hospitals that now give deeper discounts to try to raise their own negotiated prices to match what high earners are getting. Hospitals were skeptical of the move.”

- <https://www.apnews.com/d7fa14b4872c4353a740d7e3331a3f46>

- ***Grassley announces opposition to key Trump proposal to lower drug prices:*** “Senate Finance Committee Chairman Chuck Grassley (R-Iowa) on Wednesday announced his opposition to one of President Trump’s signature proposals aimed at lowering drug prices. Grassley told reporters that he opposes a plan that Trump announced in October to lower the prices Medicare pays for certain drugs by tying them to lower prices paid in other countries, an idea known as the International Pricing Index.”

- <https://thehill.com/policy/healthcare/449382-grassley-announces-opposition-to-key-trump-proposal-to-lower-drug-prices>

- **Week Ahead**

- ***Supreme Court to hear insurers' bid for \$12 billion in Obamacare money:*** “The U.S. Supreme Court on Monday agreed to decide whether insurers can seek \$12 billion from the federal government under a program set up by the Obamacare law aimed at encouraging them to offer medical coverage to previously uninsured Americans. The justices will hear an appeal by a group of insurers of a lower court’s ruling that Congress had suspended the government’s obligation to make such payments. The insurers have said that ruling, if allowed to stand, would let the government pull a “bait-and-switch” and withhold money the companies were promised.”

- <https://www.reuters.com/article/us-usa-court-obamacare/supreme-court-to-hear-insurers-bid-for-12-billion-in-obamacare-money-idUSKCN1TP1Q7>

### **Regulatory and Administration Update**

- ***President issues executive order on price transparency:*** “President Trump today issued an executive order aimed at improving health care price transparency and reducing costs. Most notably, the order instructs the Department of Health and Human Services to issue a proposed regulation within 60 days requiring

hospitals to “publicly post standard charge information, including charges and information based on negotiated rates and for common or shoppable items and services, in an easy-to-understand, consumer-friendly, and machine-readable format.”

- <https://www.aha.org/news/headline/2019-06-24-president-issues-executive-order-price-transparency>

- ***FTC Imposes Conditions on UnitedHealth Group's Proposed Acquisition of DaVita Medical Group:*** “Healthcare provider and insurer UnitedHealth Group Incorporated and healthcare provider DaVita, Inc. have agreed to a settlement to resolve Federal Trade Commission allegations that UnitedHealth Group’s proposed \$4.3 billion acquisition of DaVita’s DaVita Medical Group will harm competition in healthcare markets in Clark and Nye Counties, Nevada. Under the proposed settlement, no later than 40 days after the acquisition is final, UnitedHealth Group will divest DaVita Medical Group’s healthcare provider organization in the Las Vegas Area (known as HealthCare Partners of Nevada) to Intermountain Healthcare, a Utah-based healthcare provider and insurer.”

- [https://www.ftc.gov/news-events/press-releases/2019/06/ftc-imposes-conditions-unitedhealth-groups-proposed-acquisition?utm\\_source=govdelivery](https://www.ftc.gov/news-events/press-releases/2019/06/ftc-imposes-conditions-unitedhealth-groups-proposed-acquisition?utm_source=govdelivery)

- ***Statement on a new effort to improve transparency and predictability for generic drug applicants to help increase timely access to high-quality, lower cost generic drugs:*** “The U.S. Food and Drug Administration is committed to helping facilitate American patients’ access to lower-cost generic medicines by taking steps to enhance and streamline the development and approval process of high-quality generic drugs. The U.S. already has one of the most effective and efficient generic markets in the world. Generic drugs represented 90% of U.S. prescriptions dispensed in 2017, and the FDA approved or tentatively approved more than 2,000 generic drug applications in 2017 and 2018 alone. But, there is more we may be able to do to facilitate a stable, competitive market. The agency’s previous efforts to help bolster the competitiveness of the generics market include: taking significant steps to support complex generic drug development and application review; prioritizing the review of certain generics; and publishing a list of off-patent, off-exclusivity brand drugs. Each of these efforts were aimed at getting more competitors into the market, which might drive down prices for consumers – all the while making sure generics meet the FDA’s approval standards and will be manufactured under our rigorous quality standards.”

- <https://www.fda.gov/news-events/press-announcements/statement-new-effort-improve-transparency-and-predictability-generic-drug-applicants-help-increase>

- ***CMS settles denied claims dispute with inpatient rehab providers:*** “The CMS has agreed to settle appeals from inpatient rehabilitation facilities regarding denied Medicare claims. The settlement ends a two-year dispute with the inpatient rehabilitation industry after they were frequently denied Medicare claims for a variety of reasons, including if the patient missed a few minutes of their minimum time for daily therapy. Medicare would only pay for the therapy if beneficiaries participated at least three hours a day.”
  - <https://www.modernhealthcare.com/payment/cms-settles-denied-claims-dispute-inpatient-rehab-providers>
- ***Key Trump proposal to lower drug prices takes step forward:*** “One of President Trump’s major proposals to lower drug prices took a step forward on Friday. The Department of Health and Human Services (HHS) sent to the White House for review a proposal to lower certain drug prices in Medicare by linking them to the lower prices paid in other countries, an idea called the international pricing index. Trump unveiled the original proposal in October, but it was in the early stages then, with several more steps in the regulatory process. There has been some speculation that the administration would never actually finalize the rule, and was simply using it as a bargaining chip to push for other drug pricing changes.”
  - <https://thehill.com/policy/healthcare/449740-key-trump-proposal-to-lower-drug-prices-takes-step-forward>

### Articles of Interest

- ***Diabetes Drugs Market (Therapy - Glucagon-like Peptide-1 (GLP-1) Agonist, Dipeptidyl-peptidase-4 (DPP-4) Inhibitors, Sodium Glucose Co-transporter 2 (SGLT2) Inhibitors, and Insulin; Disease Type - Type 1 Diabetes, Type 2 Diabetes, Gestational Diabetes, Impaired Glucose Tolerance and Impaired Fasting Glycaemia; By Distribution Channel - Hospital Pharmacies, Retail Pharmacies, and Online Pharmacies) - Global Industry Analysis, Size, Share, Growth, Trends, and Forecast 2017 - 2025:*** “The global diabetes drugs market is predicted to display steadfast growth in the near future. Increasing incidence of diabetes due to sedentary lifestyle coupled with consumption of high calorie food stokes demand for therapeutics for diabetes. Growing geriatric population globally susceptible to age-related medical conditions such as diabetes and blood pressure is also boosting the diabetes drugs market.”
  - <https://www.transparencymarketresearch.com/diabetes-drug-market.html>
- ***The Determinants and Variation of Nursing Home Private-Pay Prices: Organizational and Market Structure:*** “Nursing home (NH) care is arguably the most significant financial risk faced by the elderly without long-term care

insurance or Medicaid coverage. Annual out-of-pocket expenditures for NH care can easily exceed \$70,000. However, our understanding of private-pay prices is limited by data availability. Utilizing a unique data set on NH prices from 2005 through 2010 across eight states, we find that NH price growth has consistently outpaced growth in consumer and medical care prices.”

- <https://journals.sagepub.com/doi/abs/10.1177/1077558719857335?journalCode=mcrd>
- ***New drug compound could tackle major life-limiting kidney disease:*** “Scientists from the University of Sheffield are part of an international collaboration to develop a new class of drugs to treat a common genetic kidney disease which is a major cause of kidney failure. Working with Glasgow-based biotech company Mironid and colleagues in the US, the Sheffield researchers have carried out successful laboratory tests of a compound developed by Mironid to treat autosomal dominant polycystic kidney disease (ADPKD), a hereditary, progressive disease which affects over 60,000 people in the UK and around 12 million people worldwide.”
  - [https://www.eurekalert.org/pub\\_releases/2019-06/uos-ndc061819.php](https://www.eurekalert.org/pub_releases/2019-06/uos-ndc061819.php)
- ***Market in pre-owned diabetic strips worries experts:*** “The small yellow yard signs began to appear this spring, seemingly overnight and without fanfare. They’re peppered across the parking lots of shopping centers and along the stretch of U.S. Route 78 that runs through downtown Athens. “WE BUY DIABETIC TEST STRIPS,” reads one sign, written in bold, black capitalized letters and an industrial font. An accompanying local phone number sends callers to an Indiana-based company named Test Strip Search, whose website advertises three easy steps for people seeking cash: Get quote. Mail strips. Get paid.”
  - <http://www.georgiahealthnews.com/2019/06/market-pre-owned-diabetic-gear-worries-experts/>
- ***The Future Looks Terrible for U.S. Nursing Home Costs:*** “The results of a six-year study by Georgetown University Medical Center revealed just how fast nursing home prices have been increasing all across America. And the future looks just as grim. Dr. Sean Huang, the study’s lead author, said the brutal dynamic governing long-term care in the U.S. – where many nursing home residents must spend down the bulk of their life savings before qualifying for federal assistance – is intensifying. California, Florida, New York and Texas all saw increases that far outstripped the 11.6% rise in inflation from 2005 to 2010, the period reviewed by Georgetown’s analysis of eight states. Additional data show the upward trend has continued in the years since.”
  - <https://www.bloomberg.com/news/articles/2019-06-25/u-s-nursing-home-costs-may-get-worse-thanks-to-a-labor-shortage>

- ***Obesity-related pain contributes to opioid use:*** “Long-term use of prescription opioids for chronic pain is more common among people who are overweight or obese, a new study finds. As a group, these individuals are more likely to use prescription opioids for pain in the back, joints, muscles and nerves, researchers write in the journal *Pain*. Andrew Stokes of the Boston University School of Public Health and colleagues analyzed data for more than 25,000 participants in the National Health and Nutrition Examination Surveys, ages 35 to 79, to understand the relationship between obesity and prescription opioid use.”
  - <https://www.reuters.com/article/us-health-obesity-pain/obesity-related-pain-contributes-to-opioid-use-idUSKCN1TJ2ZD>