

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, June 4, 2018

Congressional Schedule

Senate

- Senate returns from recess at 3 pm; plans 5:30 pm procedural vote on district judge nominee.

House

- House remains adjourned until noon Tuesday.

Legislative Update

- **Week in Review**
 - *GOP Senator presses FDA on 'right to try' implementation.* "The Republican author of the new 'right to try' law is calling on the Food and Drug Administration to enforce it as written. In a letter sent Thursday to the FDA, Sen. Ron Johnson (R-Wis.) said the right to try law 'intends to diminish the FDA's power over people's lives, not increase it.' Johnson was the primary author of the bill, which was signed into law by President Trump Wednesday."
 - Read more: <http://thehill.com/policy/healthcare/medical-devices-and-prescription-drug-policy/390153-gop-senator-presses-fda-on>
 - *Senator, blocking subpoena of Teva in opioids probe, says matter should be left to courts.* "Claire McCaskill, the Democratic senator from Missouri, has spent the past 18 months investigating drug makers and distributors to determine what role they played in furthering the opioid crisis. Sen. Ron Johnson (R-Wis.), who chairs the chamber's Homeland Security and Governmental Affairs Committee and wields subpoena power, has denied McCaskill's request to subpoena the company, citing concerns about ongoing litigation involving Teva and admonishing McCaskill for, in his words, 'not seeking to work collaboratively with me.' Despite repeated public pleas from McCaskill, Johnson has not budged since his initial denial in January."
 - Read more: <https://www.statnews.com/2018/05/29/johnson-mccaskill-teva-subpoena/>

- **Week Ahead**
 - *Cassidy plans bill mandating price transparency in health care.* “Sen. Bill Cassidy (R-La.) on Tuesday said that he hopes to soon introduce legislation mandating price transparency in health care to enable patients to compare prices before getting procedures. Cassidy and a bipartisan group of senators first sought feedback on the idea in March. The idea is one of several that Cassidy, a doctor who helped lead efforts to repeal and replace ObamaCare last year, put forward in a white paper released Tuesday.”
 - Read more: <http://thehill.com/policy/healthcare/389742-cassidy-plans-bill-mandating-price-transparency-in-health-care>

Regulatory and Administration Update

- *Looking for lower Medicare drug costs? Ask your pharmacist for the cash price.* “As part of President Donald Trump’s blueprint to bring down prescription costs, Medicare officials have warned insurers that ‘gag orders’ keeping pharmacists from alerting seniors that they could save money by paying cash – rather than using their insurance – are ‘unacceptable and contrary’ to the government’s effort to promote price transparency. But the agency stopped short of requiring insurers to lift such restrictions on pharmacists. That doesn’t mean people with Medicare drug coverage are destined to overpay for prescriptions. Under a little-known Medicare rule, they can pay a lower cash price for prescriptions instead of using their insurance. But first, they must ask the pharmacist about that option, said Julie Carter, federal policy associate at the Medicare Rights Center, a patient advocacy group.”
 - Read more: <https://khn.org/news/to-lower-medicare-drug-costs-and-get-around-gag-orders-at-pharmacy-just-ask-for-the-cash-price/>
- *Trump signs right-to-try legislation, making controversial measure the law of the land.* “With President Trump’s signature, a measure offering terminally ill patients expanded access to unapproved treatments became the law of the land on Wednesday, ending a protracted legislative debate over whether it would help eliminate bureaucratic hurdles or simply offer the desperate a sense of false hope. Surrounded by patients with life-threatening illnesses and their families, Trump used the 30-minute signing ceremony to make lofty promises about how ‘tremendous’ the new law would be. He promised it would help scores of people get faster ‘access to experimental treatments that could improve or even cure their conditions.’”
 - Read more: <https://www.statnews.com/2018/05/30/trump-signs-right-to-try/>
- *Trump: CEOs will announce ‘voluntary’ drug price drops soon.* “President Donald Trump said pharmaceutical industry executives have been summoned to the White House to announce ‘voluntary, massive drops in prices.’ He said the CEOs will deliver that news in a few weeks, contending the alleged reduction in drug costs is the product of pressure applied by his administration. During a speech earlier this month about his plan to bring down prices, the president promised his administration would stop drug manufacturers from taking advantage of regulatory processes and get over-the-counter

medications approved faster, among other moves. Democratic lawmakers, however, quickly dismissed his plan as anything but, saying he was unlikely to deliver.”

- Read more: <http://www.rollcall.com/news/politics/trump-ceos-will-announce-voluntary-drug-price-drops-soon>
- ***FDA tackles ‘gaming’ of brand-name drugs.*** “The Trump administration released plans to help generic drugmakers bring medicines to the market faster in an effort to increase competition and lower the cost of drugs. Through draft documents issued Thursday, the Food and Drug Administration is going after a practice by the makers of brand-name drugs to block generic companies from making cheaper copies. FDA Commissioner Scott Gottlieb has accused drugmakers of ‘gaming’ the system through the process.”
 - Read more: <https://www.washingtonexaminer.com/policy/healthcare/fda-tackles-gaming-of-brand-name-drugs>

Articles of Interest

- ***Women with pregnancy-related diabetes may be at risk for chronic kidney disease.*** “Gestational diabetes may predispose women to early-stage kidney damage, a precursor to chronic kidney disease, according to a study by researchers at the National Institutes of Health and other institutions. The study appears in *Diabetes Care*. Gestational diabetes occurs only in pregnancy and results when the level of blood sugar is too high. The condition increases the risk for preterm birth and cesarean delivery, among other complications. Other forms of diabetes that occur outside of pregnancy are known to increase the risk for chronic kidney disease, in which the kidneys have difficulty filtering wastes from the blood. Few studies have investigated the potential link between gestational diabetes and chronic kidney disease.”
 - Read more: https://www.eurekalert.org/pub_releases/2018-05/nksn-wwp052118.php
- ***Another cause of doctor burnout? Being forced to give immigrants unequal care.*** “There are an estimated 6,500 undocumented immigrants in the U.S. with end-stage kidney disease. Many of them can't afford treatment or private insurance, and are barred from Medicare or Medicaid. This means the only way they can get dialysis is in the emergency room. Cervantes and her colleagues interviewed 50 healthcare providers in Denver and Houston and identified common concerns among them. The researchers found that providing undocumented patients with suboptimal care because of their immigration status contributes to professional burnout and moral distress.”
 - Read more: <https://www.npr.org/sections/health-shots/2018/05/21/613115383/another-cause-of-doctor-burnout-being-forced-to-give-immigrants-unequal-care>
- ***For some hard-to-find tumors, doctors see promise in artificial intelligence.*** “Artificial intelligence, which is bringing us everything from self-driving cars to personalized ads on the web, is also invading the world of medicine. In radiology, this technology is increasingly helping doctors in their jobs. A computer program that assists doctors in diagnosing strokes garnered approval from the U.S. Food and Drug Administration earlier this year. Another that helps doctors diagnose broken wrists in x-ray images won

FDA approval on May 24th. One particularly intriguing line of research seeks to train computers to diagnose one of the deadliest of all malignancies, pancreatic cancer, when the disease is still readily treatable.”

- Read more: <https://www.npr.org/sections/health-shots/2018/05/30/615466696/for-some-hard-to-find-tumors-doctors-see-promise-in-artificial-intelligence>
- ***New Jersey governor signs health care mandate into law after federal repeal.*** “New Jersey Gov. Phil Murphy (D) on Wednesday night signed into law a bill imposing an individual mandate for health insurance to replace a federal requirement that Congress repealed. The move makes New Jersey the second state to require health-care coverage and impose a penalty on residents without it. Massachusetts imposed the requirement as part of its health reform law in 2006.”
 - Read more: <http://thehill.com/policy/healthcare/390030-new-jersey-governor-signs-health-care-mandate-into-law-after-federal-repeal>
- ***Chronic disease are taxing our health care system and our economy.*** “The discussion of the soaring costs of health care in the U.S. often focuses on the high costs of treating diseases, rather than on the potential economic benefits of preventing them. Changes in lifestyle and diet could prevent many of the chronic diseases driving up the nation’s health care costs, improve health, and reduce the need for expensive treatments. As we write in a new Milken Institute report, U.S. health care costs for chronic diseases such as heart disease, cancer, diabetes, and Alzheimer’s disease totaled \$1.1 trillion in 2016. When lost economic productivity is included, the total economic impact was \$3.7 trillion. This is equivalent to nearly 20 percent of the U.S. gross domestic product.”
 - Read more: <https://www.statnews.com/2018/05/31/chronic-diseases-taxing-health-care-economy/>
- ***Number of opioid prescriptions falls for fifth year in a row.*** “The number of opioid prescriptions issued nationwide has dropped by 22 percent between 2013 and 2017, which a doctors group touted as progress in fighting the epidemic of opioid addiction. The report from the American Medical Association (AMA) finds there were 55 million fewer prescriptions over that time period and the number of prescriptions has dropped for five years in a row.”
 - Read more: <http://thehill.com/policy/healthcare/390072-number-of-opioid-prescriptions-falls-for-fifth-year-in-a-row>
- ***Study aims to show transplants between HIV-positive patients are safe, save lives.*** “A large-scale clinical trial launched by the National Institutes of Health in May could pave the way for more HIV-positive patients with kidney disease to receive life-saving transplants. The trial, called the HOPE in Action Multicenter Kidney Study, will assess the risks of transplanting kidneys from HIV-positive donors into patients living with the virus, says Dr. Christine Durand, assistant professor of medicine at Johns Hopkins University and a principal investigator of the study.”
 - Read more: <https://www.npr.org/sections/health-shots/2018/06/01/615860200/researchers-want-to-show-hiv-positive-organ-donation-is-safe-and-can-save-lives>

- ***Study examines concerns of living kidney donors.*** “Among living kidney donors, the post-donation concern that was considered most important was kidney health, followed by the surgical, lifestyle, functional, and psychosocial impacts of donation. The hypothetical long-term risks associated with kidney removal—including mortality and cardiovascular disease—were of relatively lower importance. Living kidney donor transplants comprise nearly one-quarter of kidney transplants performed worldwide.”
 - Read more: https://www.eurekalert.org/pub_releases/2018-05/ason-sec052518.php
- ***High blood pressure can really up your medical costs.*** “If your blood pressure goes up, so do your medical bills, new research suggests. Yearly medical costs for U.S. adults with high blood pressure can run \$1,920 more than for those without the condition, a new study finds. Taking in the entire American population with high blood pressure, that's \$131 billion in excess health care costs, compared with those without the disorder, researchers said.”
 - Read more: <https://consumer.healthday.com/circulatory-system-information-7/blood-pressure-news-70/high-blood-pressure-can-really-up-your-medical-costs-734324.html>
- ***In California, a fight over clinics for kidney patients.*** “A battle is escalating between the dialysis industry and an influential union in California, with allegations on one side of shoddy practices in the treatment of kidney patients and accusations of political bullying on the other. With a growing number of Californians on dialysis, the union has teed up an initiative for the November ballot that would rein in profits at 555 privately owned clinics where patients receive life-sustaining treatment. The measure would cap profits at 15 percent after most clinical costs. And in Sacramento, legislators have been considering measures to regulate staffing, inspections and other elements of the dialysis industry.”
 - Read more: <https://calmatters.org/articles/in-california-a-fight-over-clinics-for-kidney-patients/>