

American Nephrology Nurses Association

Weekly Capitol Hill Update - Tuesday, June 7, 2016

Congressional Schedule

House

- “Convenes at 2 p.m. for action on 11 bills under suspension of the rules, including legislation (HR 5338) that would provide the Transportation Security Administration with more staffing flexibility to address long airport security wait times and a measure (HR 5273) that would modify the Medicare program and address various issues involving hospitals.” (CQ)
- **Week Ahead:** “On Wednesday, the House and Senate will come together at 10:45 a.m. for a joint meeting to receive Indian Prime Minister Modi. The House is also expected to consider an amendment to a measure (S. 2276) that would reauthorize federal pipeline safety programs, as well as a bill (H.R. 4775) that would extend Environmental Protection Agency’s (EPA) deadlines for implementing new air pollution standards for ground-level ozone.

Later this week, the House plans to take up the Legislative Branch appropriations bill (H.R. 5325), a measure to address Puerto Rico's financial crisis (H.R. 5278) and resolutions (H.Con.Res. 89, H.Con.Res. 112) that would express opposition to some of the administration's energy policies.” (CQ)

Senate

- “The Senate convenes at 10 a.m. and resumes consideration of its fiscal 2017 Defense Authorization bill (S 2943). There is one amendment pending to the bill: Arizona Republican John McCain's provision to increase authorized funding by \$18 billion, which would bust through the spending level established in last year's budget deal (PL 114-74).” (CQ)

Legislative Updates

- **NIH Headed for \$2 Billion Funding Boost.** “The National Institutes of Health would receive a funding boost of about \$2 billion in this year’s Senate health spending bill, according to a source familiar with the negotiations. This year’s spending bill, which will be publicly released Tuesday, would grow the agency’s total budget to about \$34 billion, the source said. The boost to the NIH’s funding is the result of bipartisan negotiations

between Sen. Roy Blunt (R-MO), who leads the Senate subcommittee on health funding, and his counterpart, Sen. Patty Murray (D-WA). Both offices declined to comment on the NIH funding levels, which will come up before a Senate panel on Tuesday. Research advocates said Monday they're ecstatic about the proposed increase, which exceeds President Obama's own request by about \$3 billion. Still, some are concerned about whether the extra money will come from other key health agencies like the Centers for Disease Control and Prevention."

- To read the full article, please see the following link:
<http://thehill.com/policy/healthcare/282395-nih-headed-for-2-billion-funding-boost>
- ***Week Ahead: Lawmakers Scramble for Zika deal; Senate Begins Work on Health Spending Bill.*** "The House and Senate will be under mounting pressure to hammer out a Zika funding deal after a weeklong break. The Senate has yet to vote to enter a conference committee with the House to resolve their two differing funding packages. Senators passed a bill with \$1.1 billion in emergency funding, while the House passed a fully offset \$622 million package...
 - ***APPROPRIATIONS:*** The Senate will also begin work next week on its health-related appropriations bill, which it hopes will make it to a floor vote this year. The health panel of the Senate Appropriations Committee, led by Sen. Roy Blunt (R-Mo.), will meet Tuesday to mark up its spending bill. That bill, which includes funding for the Departments of Labor and Health and Human Services, passed out of committee last year, but ultimately did not make it for a full floor vote.
 - ***MEDICARE REFORM:*** The House Ways and Means Committee will focus on Medicare at a subcommittee hearing on Wednesday. Rep. Pat Tiberi (R-Ohio), who leads the subcommittee, will hold the "member day" hearing to give members of both parties the chance to submit their own ideas to bolster Medicare – an area that Republicans have long eyed for reform.
 - ***MENTAL HEALTH:*** The House Energy and Commerce Committee is still working to smooth out the edges of Rep. Tim Murphy's (R-Pa.) mental health bill. The committee has said that a markup will occur sometime this month, and it could occur as soon as the coming week. The Senate has been looking to move forward with its own mental health bill, which could put pressure on the House to act."
 - For the full article, please see the following link:
<http://thehill.com/policy/healthcare/282159-week-ahead-lawmakers-scramble-for-zika-deal-senate-begins-work-on-health>
- ***Ryan Faces Crucial Pre-Convention Sprint.*** "Speaker Ryan has dealt with one big problem – what to do about Donald Trump – but he returns to Washington this week facing a critical legislative stretch leading to the national conventions in mid-July, with problems looming everywhere. Ryan and the House GOP leadership face serious challenges to pass a fix for Puerto Rico's debt debacle, funding to fight the Zika virus

and the annual spending bills they deemed a top priority. A decision also has to be made on whether to press ahead with the impeachment of Internal Revenue Service (IRS) Commissioner John Koskinen.... Democrats are balky and restless, smelling a chance to win back the House this fall, or at least make serious inroads into the Republican majority. Hardline conservatives are unruly as usual and trying to maximize any leverage they have over their own leaders. The White House, while willing to deal with Ryan and Hill Republicans on Puerto Rico, isn't giving ground anywhere else. And the clock is ticking, with the House in session only 21 days to make any magic happen. The House is scheduled to adjourn in mid-July for the conventions and not return until early September, when it's unlikely Congress will move on anything significant given the proximity to the election. The House will also recess for a week for the July 4 holiday."

- To read the full article, please see the following link:

<http://www.politico.com/story/2016/06/paul-ryan-puerto-rico-zika-appropriations-223884> 3

Regulatory Updates

- ***CMS Releases Updated Manual for ESRD Payments.*** CMS has released a transmittal updating the ESRD chapter of the Medicare Benefit Policy Manual. The updates provide little addition information apart from what CMS published in the final rule in regards to oral and IV calcimimetics.
 - To view the updated manual payments guideline, please see the following link:
<https://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/2016-Transmittals-Items/R224BP.html?DLPage=1&DLEntries=10&DLFilter=ESRD&DLSort=1&DLSortDir=ascending>
- ***GAO Makes MedPAC Appointments.*** "Gene L. Dodaro, Comptroller General of the United States and head of the U.S. Government Accountability Office (GAO), today announced the appointment of five new members to the Medicare Payment Advisory Commission (MedPAC), as well as the reappointment of one current member... The newly appointed members are Amy Bricker, RPh, Vice President, Supply Chain Strategy, Express Scripts, Inc., St. Louis, Missouri ; Brian DeBusk, PhD, CEO, DeRoyal Industries, Powell, Tennessee; Paul Ginsburg, PhD, Leonard Schaeffer Chair in Health Policy Studies, Brookings Institution, Washington, D.C. and Professor of Health Policy, University of Southern California; Bruce Pyenson, FSA, MAAA, Principal and Consulting Actuary, Milliman, Inc. in New York, New York; and Pat Wang, JD, CEO, Healthfirst, New York, New York. Their terms will expire in April 2019."
 - To see the full article and their biographies, please see the following link:
http://www.gao.gov/press/medpac_appointments2016jun.htm
- ***NQF Renal Project Early Comment Period.*** NQF is seeking early comments (in advance of Standing Committee review) on the six measures being considered under its current Renal Project:
 - NQF 2977: Hemodialysis Vascular Access: Standardized Fistula Rate (CMS) – New

- NQF 2978: Hemodialysis Vascular Access: Long-Term Catheter Rate (CMS) – New
 - NQF 2989: Standardized Transfusion Ratio for Dialysis Facilities (CMS) – New
 - NQF 0260: Assessment of Health-Related Quality of Life in Dialysis Patients (Witten and Associates, LLC) – Maintenance
 - NQF 0369: Dialysis Facility Risk-Adjusted Standardized Mortality Ratio (CMS) – Maintenance
 - NQF 1463: Standardized Hospitalization Ratio for Admissions (CMS) – Maintenance
- The comment period closes on Monday, June 13, at 6 pm EST.
 - Additional information on the measures and the comment portal can be accessed at: http://www.qualityforum.org/Renal_2015-2017.aspx
- ***VA Proposal to Expand Scope of Nurse Practice Could Ease Shortage.*** “A proposal to expand nurses' scope of practice at Veterans Affairs facilities will likely draw even more medical professionals to a sector that is already the largest employer of nurses in the country. The rule-making, released last week and meant to address long wait times for veterans seeking healthcare, comes at a time when hospitals and medical groups, including the VA, around the country struggle with a nursing shortage. That's led some to question whether there are enough nurses to actually make a difference. The proposal would allow nurses to perform tasks such as ordering and reading diagnostic tests, administer anesthesia, prescribe medications and manage acute and chronic diseases without a doctor's oversight. The rule can do a lot of good despite the shortages since they exist only in certain regions of the country, said Doreen Harper, dean of the University of Alabama at Birmingham School of Nursing.”
 - To read more, please see the following link:
http://www.modernhealthcare.com/article/20160602/NEWS/160609994?utm_source=modernhealthcare&utm_medium=email&utm_content=20160602-NEWS-160609994&utm_campaign=am

Articles of Interest

- ***Weight Loss May Mean Better Kidneys in Obese Patients.*** “Morbidly obese individuals who lost weight on a 12-week regimen of restricted calories paired with an exercise plan appeared to have significant kidney function improvement, as measured by glomerular filtration rate (eGFR), researchers reported. The average weight of the participants in the study was 289 lbs at baseline (baseline body mass index 52.67 kg/m²) and that was reduced to an average of 260 lbs (P<0.0001) at 12 weeks, said Tiffany Schwasinger-Schmidt, MD, PhD, of the University of Kansas Medical School-Wichita, and colleagues. As weight decreased, the eGFR increased from about 47.41 mL/min to almost 55.17 mL/min, which was significant (P=0.0289), the group reported at the American Association of Clinical Endocrinologists annual meeting.”
 - To read the full article, please see the following link:
http://www.medpagetoday.com/MeetingCoverage/AACE/58244?xid=NL_breakingnews_2016-06-01&eun=g939522d0r

- ***With Transplant Patients Waiting, Lawmakers Fast-Track Bill Allowing Organ Donations By HIV-Positive People.*** “With a seriously ill patient waiting for a new liver, the Legislature took the extraordinary action Friday of having both houses – within an hour – approve a bill that would allow HIV-positive people to donate organs to others who are HIV-positive. Gov. Jerry Brown later Friday signed the bill, which becomes effective immediately. "This is a life-saving matter that aligns California with federal law," said Deborah Hoffman, a spokeswoman for Brown. The Assembly and Senate acted on the measure after San Francisco surgeon Peter G. Stock told lawmakers he has two HIV-positive patients needing liver transplants, including one who has identified a donor. However, state law makes it illegal for HIV-positive people to donate organs.”

 - To read the full article, please see the following link:
<http://www.latimes.com/politics/la-pol-sac-essential-politics-with-transplant-patients-waiti-1464369901-htmllstory.html>

- ***A Permanent Fund That Could Help Fight Zika Exists, But It's Empty.*** “Public health advocates who are exasperated by the fight on Capitol Hill over how much to spend to combat the Zika virus are looking longingly at the Federal Emergency Management Agency (FEMA). FEMA has a standing fund that it can draw upon when disaster strikes. The fund is replenished when the money is spent cleaning up from hurricanes, tornadoes and other natural disasters. If only, public health experts sigh. If only there were such a fund for health threats, officials wouldn't have to choose between fighting Zika or Ebola. They wouldn't have to run to Congress begging for money and then wait, they say.... The fund was created by Congress in 1983, with an initial appropriation of \$30 million. The law says if the secretary of HHS declares a health emergency and draws from the fund, Congress is authorized to bring it back up to \$30 million each year. Problem is, after the first year, Congress only put money back into the emergency piggy bank twice, in 1987 and again in 1993 in response to the outbreak of hantavirus in the West. The fund was reauthorized by Congress in 1990 with the balance raised to \$45 million, according to a report by the Congressional Research Service, but it since has been abandoned. Today the fund has \$57,000 in it, according to a spokesman for HHS.”

 - For the full article, please see the following link:
<http://www.npr.org/sections/health-shots/2016/06/03/480565668/a-permanent-fund-to-help-fight-zika-exists-but-its-empty>

- ***WHO Experts Say Zika May Cause Birth Defects in Thousands of Babies.*** “World Health Organization officials on Friday cautioned that "many thousands" of infants infected with Zika virus could suffer neurological abnormalities and said nations dealing with an outbreak need to watch for problems beyond the widely reported cases of microcephaly. These include spasticity, seizures, irritability, feeding difficulties, eyesight problems and evidence of severe brain abnormalities. Health officials had previously concluded that Zika infection in pregnant women was a cause of microcephaly in babies, a rare birth defect characterized by unusually small heads and potentially severe developmental problems. They now believe the range of potential neurological problems in infants could be much wider.”

 - For the full article, please see the following link:
<http://www.nytimes.com/reuters/2016/06/03/world/americas/03reuters-health-zika-birthdefects.html>

- ***Updating the American Society of Clinical Oncology Value Framework: Revisions and Reflections in Response to Comments Received.*** “The mission of American Society of Clinical Oncology (ASCO) is to conquer cancer through research, education, and promotion of the highest quality patient care. Toward fulfillment of this goal and at the direction of its board of directors, the ASCO Value in Cancer Care Task Force set out to develop a framework that would enable a physician and patient to assess the value of a particular cancer treatment regimen given the patient’s individual preferences and circumstances. The rationale that served as the impetus for this initiative is many faceted. Substantial progress has been made in translating our knowledge of the biologic characteristics of cancer into novel therapies. Some of these therapies have led to major improvements in outcomes for specific diseases, and others have produced only modest advances. There is now a wide array of choices for treating many cancer types, and these treatment choices often differ by only small degrees in clinical effectiveness and toxicity. Yet, there is often a wide disparity in cost to patients and payers. Because patients are often confronted with enormous expenses when receiving cancer care, the goal of describing a relationship between the cost of an agent or regimen and the clinical benefits it delivers takes on great importance. As the primary advisor to the patient, the oncologist has an important role in providing a comparative assessment of the various treatment options available; in the spirit of shared decision making, the patient should have transparent information about the clinical impact that can be expected from the different options presented and their relative financial implications.”
 - For the full article, please see the following link:
<http://jco.ascopubs.org/content/early/2016/05/25/JCO.2016.68.2518>

- ***Biden Unveils New Database in Cancer Moonshot.*** “Vice President Biden on Monday unveiled a new cancer database as part of his moonshot against the disease. The effort targets one of the central goals of the moonshot, which is to break down barriers between different researchers and encourage the sharing of data to aid in discoveries. The database, called the Genomic Data Commons, contains genomic data for 12,000 patients, with a plan for more to be added. Researchers can search the database to look for patterns in how different patients responded to different treatments.”
 - For the full article, please see the following link:
<http://thehill.com/policy/healthcare/282318-biden-unveils-new-database-in-cancer-moonshot>

Hearings/Meetings

Tuesday, June 7th:

- **House Energy & Commerce Health Subcommittee** – *Vote on H.R. 3299 (Strengthening Public Health Emergency Response Act of 2015) and H.R. 921 (Sports Medicine Licensure Clarity Act of 2015)*
 - 5:00 pm @ 2123 Rayburn House Office Building

- **Health Resources and Services Administration** – *Meeting of the National Advisory Council on Nurse Education and Practice*
 - HHS, Health Resources and Services Administration, 5600 Fishers Lane, Room 5A02/5A03, Rockville, Md.

Wednesday, June 8th:

- **House Ways and Means Health Subcommittee** – *Member Day Hearing on Legislation to Improve and Sustain the Medicare Program*
 - 2:00 pm @ 1100 Longworth House Office Building

Thursday, June 9th:

- **Senate Appropriations Full Committee** – *Markup of the FY2017 Labor, HHS & Education Appropriations Bill*
 - 10:30 am @ 106 Dirksen Senate Office Building

Friday, June 10th:

- **House Energy & Commerce Health Subcommittee** – *Hearing on Advancing Patient Solutions for Lower Costs and Better Care*
 - 9:15 am @ 2322 Rayburn House Office Building