

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, July 17, 2017

Congressional Schedule

**Senate**

- Convenes Monday at 3pm; will hold procedural vote at 5:30pm on Trump's choice of former Boeing executive Patrick Shanahan to be deputy secretary of defense
- Majority Leader Mitch McConnell said late Saturday that he's postponing plans to begin debate on GOP health bill as Sen. John McCain recovers from unexpected surgery; CBO won't release score on revised measure Monday

**House**

- Convenes Monday at noon; first votes 6:30pm
  - Scheduled to vote on three energy bills this week
  - Also votes on H.R. 218, aimed at enabling the Alaskan town of King Cove to build an 11-mile gravel road to connect with Cold Bay, located on opposite end of Izembek National Wildlife Refuge
- Foreign Affairs Chairman Ed Royce is working on a new, bipartisan Russia sanctions bill that he says could come up during the week  
(*Bloomberg Government*)

Legislative Updates

- **Week in Review:**
  - *McConnell Delays Recess; Senate to Work Through First 2 Weeks of August.*  
"Majority Leader Mitch McConnell on Tuesday said the Senate will delay the start of its August recess by two weeks to tackle executive nominations and high-priority legislation. The Kentucky Republican pointed the finger of blame at Democrats. "In order to provide more time to complete action on important legislative items and process nominees that have been stalled by a lack of cooperation from our friends across the aisle, the Senate will delay the start of the August recess until the third week of August," he said in a statement Tuesday."
    - To read more: <https://morningconsult.com/2017/07/11/mcconnell-delays-recess-senate-work-first-2-weeks-august/>

- **Revised Senate repeal bill keeps Obamacare taxes, adds funding for poor and opioid epidemic.** “Senate Republicans' latest health bill keeps some Obamacare taxes on the wealthy and directs more than \$100 billion in new spending to help low-income Americans buy coverage and combat the opioid epidemic. A revised Obamacare repeal plan also includes a proposal, designed to mollify conservatives, that would allow insurers that sell plans meeting Obamacare’s coverage requirements to also sell skimpier, less expensive plans that don't comply with the law.”
  - To read more: <http://www.politico.com/story/2017/07/13/what-is-in-new-gop-healthcare-bill-240506>
- **House passes bipartisan FDA user fee bill.** “The House of Representatives passed bipartisan legislation Wednesday that reauthorizes the FDA's ability to collect user fees from drug and device makers, as policymakers look to avoid thousands of layoffs if the current agreement expires. The FDA user-fee agreements, which are renegotiated every five years with the makers of prescription brand drugs, medical devices, generic drugs and biosimilars, fund much of the FDA's operations.”
  - To read more: <http://www.modernhealthcare.com/article/20170712/NEWS/170719963>
- **Lawmakers propose \$1.1B boost to NIH, defying Trump budget.** “The House subcommittee controlling the purse strings of the National Institutes of Health (NIH) on Wednesday proposed a \$1.1 billion boost for the agency, defying the Trump administration's push for cuts. The White House had proposed slashing the nation’s medical research agency by \$5.8 billion. But it was clear from the get-go that Congress wouldn’t support cutting NIH’s budget, with members of both parties in opposition.”
  - To read more: <http://thehill.com/policy/healthcare/341750-lawmakers-propose-11b-boost-to-nih-defying-trump-budget>
- **Week Ahead:**
  - **No CBO Health Score Monday as McConnell Delays Vote for McCain.** “The Congressional Budget Office won’t release a score on the revised Republican health care bill on Monday, as many had expected, as consideration of the controversial measure is delayed by a medical scare for one of its potential Senate backers. Majority Leader Mitch McConnell said late Saturday that he’s postponing plans to begin Senate debate in the next few days after Republican Senator John McCain said he’ll be home in Arizona recovering from unexpected surgery.”
    - To read more: <https://www.bloomberg.com/news/articles/2017-07-16/mcconnell-delays-health-debate-as-mccain-recovers-from-surgery>
  - **McCain Absence Gives GOP More Time to Win – Or Lose – Health Care Votes.** “That Sen. John McCain’s absence from the Capitol this week led Senate Majority Leader Mitch McConnell to delay consideration of a bill to roll back the 2010 health care law is a sign of just how narrow the vote margin might be. And it could bring the focus back to the chamber’s various Russia investigations. As soon as we have a full contingent of senators ... we will have that vote, it’s important we do so,” Senate

- Majority Whip John Cornyn of Texas said Sunday on NBC's "Meet the Press." Cornyn also said that if the current draft of the health care measure does not pass the Senate, "I assume we'll keep trying."
- To read more: <http://www.rollcall.com/news/politics/mccain-absence-health-care-gop-obamacare>
- **House panel to mark up budget Wednesday after weeks of delay.** "The House Budget Committee, led by Chairwoman Diane Black (R-Tenn.), will mark up a 2018 budget resolution on Wednesday after weeks of behind-the-scenes negotiations, delays and postponements. The budget spends billions of dollars more on both defense and nondefense discretionary spending than President Trump proposed in his budget and cuts roughly \$200 billion in mandatory spending in programs such as Temporary Assistance for Needy Families and the Supplemental Nutrition Assistance Program, formerly known as food stamps."
- To read more: <http://thehill.com/policy/finance/342320-house-panel-to-mark-up-budget-wednesday-after-weeks-of-delay>

### **Regulatory and Administration Updates**

- **CMS will host a webinar listening session on the ESRD QIP proposed rule for payment year 2021 on Wednesday, July 26 from 2:00 to 3:00 p.m. EDT.** It will cover the following topics: ESRD QIP legislative framework; proposed measures, standards, scoring method, and payment reduction scale for PY 2021; proposed modifications to PY 2019 and PY 2020 activities; and methods for reviewing and commenting on the proposed rule.
  - To learn more and to register: [https://www.cms.gov/Outreach-and-Education/Outreach/FFSProvPartProg/Provider-Partnership-Email-Archive-Items/2017-07-13-eNews.html?DLPage=1&DLEntries=10&DLSort=0&DLSortDir=descending#\\_To\\_c487625925](https://www.cms.gov/Outreach-and-Education/Outreach/FFSProvPartProg/Provider-Partnership-Email-Archive-Items/2017-07-13-eNews.html?DLPage=1&DLEntries=10&DLSort=0&DLSortDir=descending#_To_c487625925)
- **Medicare's Hospital Payment Fund Solvent Until 2029.** "The hospital portion of the Medicare program will be solvent until 2029, a year longer than projected last year, and spending on Medicare was not high enough to trigger the use of the Independent Payment Advisory Board (IPAB) to advise on how to cut costs, the Medicare trustees said Thursday. Despite that good news, "the Hospital Insurance Trust Fund is not in actuarial balance," said Health and Human Services Secretary Tom Price, MD, one of the trustees, during a press conference at the Treasury Department. "Congress must act to ensure the long-term survival of Medicare." Medicare parts B and D, which cover doctor visits and prescription drugs, respectively, "[remain] adequately financed into the future due to financing being derived from general revenues and beneficiary premiums," the Treasury Department said in a press release."
  - To read more: [https://www.medpagetoday.com/Washington-Watch/Washington-Watch/66650?xid=nl\\_mpt\\_DHE\\_2017-07-17&eun=g1089877d0r&pos=2](https://www.medpagetoday.com/Washington-Watch/Washington-Watch/66650?xid=nl_mpt_DHE_2017-07-17&eun=g1089877d0r&pos=2)

- ***CMS promises to relieve 'regulatory burden' in 2018 Medicare physician fee schedule.*** "The Centers for Medicare & Medicaid Services issued a proposed rule yesterday to update the Medicare physician fee schedule, with changes intended to relieve the regulatory burden on doctors and other clinicians in 2018. The agency said the proposed rule and other Medicare payment rules for 2018 reflect a broader strategy to relieve regulatory burdens on providers, support the patient-doctor relationship, and promote transparency, flexibility and innovation in care delivery."
  - To read more: <http://www.fiercehealthcare.com/practices/relief-from-regulatory-burden-promised-for-doctors-cms-2018-medicare-proposal>
  - To review the 2018 Physician Fee Schedule Proposed Rule: <https://www.federalregister.gov/documents/2017/07/21/2017-14639/medicare-program-revisions-to-payment-policies-under-the-physician-fee-schedule-and-other-revisions>
- ***CMS releases OPps proposed rule for 2018: 9 things to know.*** "CMS has released its 2018 Medicare Outpatient Prospective Payment System proposed rule, which would cut payments to hospitals under the 340B Drug Pricing Program and authorize Medicare to reimburse for knee replacement surgeries performed in outpatient facilities. Here are nine things to know about the 2018 proposed rule..."
  - To read more: <http://www.beckershospitalreview.com/finance/cms-releases-opps-proposed-rule-for-2018-9-things-to-know.html>
  - To review the 2018 Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs Proposed Rule: <https://www.federalregister.gov/documents/2017/07/20/2017-14883/medicare-program-hospital-outpatient-prospective-payment-and-ambulatory-surgical-center-payment>

#### **Articles of Interest**

- ***Interview with ASN president: The Senate health care bill can have a big impact on kidney disease patients.*** "...Treatment for end-stage renal disease is covered by Medicare regardless of age. But for individuals with early- to late stages of chronic kidney disease, access to insurance can have an impact on how well they can control their decline of kidney function. We asked the American Society of Nephrology President Eleanor D. Lederer, MD, who has voiced opposition to legislators about the Senate health care bill, to talk in more specific terms about how changes to Medicaid could hurt CKD patients."
  - To read the interview: <http://www.nephrologynews.com/senate-health-care-bill-can-big-impact-kidney-disease-patients/>
- ***Health Insurers Try Paying More Upfront To Pay Less Later.*** "Michael McBrayer of St. Paul, Minn., needs to pay a lot attention to his health. "I give myself shots multiple times a day, as well as controlling my diet and exercise," he said. Ten years ago, McBrayer learned he has Type 1 diabetes. Now he knows he faces dire consequences if he fails to control his blood sugar. "Kidney failure, blindness, heart disease — all those things are looming out there," he said. McBrayer has health insurance through his wife's employer, the state of Minnesota. It's a HealthPartners plan that charges extra to employers — in

this case, the state — to cover diabetes care. So for the past several years, McBrayer’s plan has paid for everything he needs to keep his diabetes in check. He doesn’t spend a dime on supplies.”

- To read more: <http://khn.org/news/health-insurers-try-paying-more-upfront-to-pay-less-later/>
- ***Nursing Specialists Can Earn More Than Some Doctors.*** “Before college, Brittany Sherwood thought she would study a pre-med major, go to medical school and become a doctor. "During my first semester of college I was planning on doing pre-med, but I got a 'B' in Bio 101, and I started doing a little research and realized there was a different way to end up in a similar place," says the now-27-year-old who went to Florida State University to earn her bachelor's degree. The Florida native began considering a career in nursing instead of work as a physician. When she compared the differences between a psychiatric nurse practitioner and a psychiatrist, she found the two professions overlapped. But the nursing route didn't require as many years in school, which she says meant a smaller price tag in terms of student debt.”
  - To read more: <https://www.usnews.com/education/best-graduate-schools/paying/articles/2017-07-17/nursing-specialists-can-earn-more-than-some-doctors>
- ***New Mexico Revises Guidelines to Recruit More Nurses.*** “New Mexico is revising guidelines related to the hiring of nurses in hopes of bolstering recruiting in rural and underserved areas of the state. The Health Department made the announcement Monday, saying state agencies will be able to hire recent graduates who are unlicensed but have obtained short-term permits to practice under the supervision of a licensed nurse or nurse practitioner. Gov. Susana Martinez says the changes will help alleviate a critical shortage around the state.”
  - To read more: <https://www.usnews.com/news/best-states/new-mexico/articles/2017-07-17/new-mexico-revises-guidelines-to-recruit-more-nurses>

### **Congressional Hearings and Markups of Interest**

#### **Tuesday, July 18th**

- The House Energy and Commerce Oversight Subcommittee holds a hearing on “Examining HRSA’s Oversight of the 340B Drug Pricing Program.”
  - 10:15 a.m., 2322 Rayburn House Office Building

#### **Wednesday, July 19th**

- The House Ways and Means Oversight Subcommittee holds a hearing on “Efforts to Combat Waste, Fraud, and Abuse in the Medicare Program.”
  - 10:00 a.m., 1100 Longworth House Office Building

## Thursday, July 20th

- The House Energy and Commerce Health Subcommittee holds a hearing on “Examining Bipartisan Legislation to Improve the Medicare Program.”
  - 10:00 a.m., 2123 Rayburn House Office Building

### Other Events of Interest

## Tuesday, July 18th

- The Alliance for Health Policy hosts a conference on “Coordinated Care and Beyond: The Future of Chronic Care.”
  - 8:45 a.m. – 12:30 p.m.; Columbus Club, Union Station, Washington, DC
  - To learn more and to register: <http://www.allhealthpolicy.org/coordinated-care-and-beyond-the-future-of-chronic-care/>
- The Partnership to Fight Chronic Disease hosts a briefing on “Turning the Tide in Healthcare Starts with Chronic Disease.”
  - 11:30 a.m. – 1:00 p.m.; B-318 Rayburn House Office Building
  - To learn more and to register: <http://www.fightchronicdisease.org/events/turning-tide-health-care-starts-chronic-disease>
- The National Pharmaceutical Council hosts a webinar on “Same Condition, Different Costs: Should Patients Pay Different Amounts?”
  - 12:00 p.m. – 1:00 p.m. EDT; Live online
  - To learn more and to register: <http://www.npcnow.org/event/webinar-same-condition-different-costs-should-patients-pay-different-amounts>

## Wednesday, July 19th

- The National Press Club Foundation hosts a webinar on “Preventative Health – What’s Next?”
  - 1:45 p.m. EDT; Live online
  - For more information and to register: <http://nationalpress.org/upcoming/preventive-health-whats-next/>