

American Nephrology Nurses Association

Weekly Capitol Hill Update – Wednesday, July 24, 2019

Congressional Schedule

Senate

- Senate is in session July 22 – July 26

House

- House is in session July 23 – July 26

Legislative Update

- **Week in Review**
 - ***Senate Finance pushes ahead on plan to address high drug prices:*** “The Senate Finance Committee on Tuesday unveiled a sweeping legislative package to address high prescription drug prices with an eye toward bringing it up for a full Senate vote by the fall. The draft comes after Chairman Chuck Grassley (R-Iowa) and ranking member Ron Wyden (D-Ore.) struck a deal on a series of policy changes and Republican committee members met Monday night to review details. The draft would overhaul parts of Medicare and Medicaid, and it includes a controversial provision pushed by Wyden that would crack down on drugmakers that raise prices higher than the rate of inflation.”
 - <https://www.politico.com/story/2019/07/23/senate-drug-prices-1611959>
 - ***Rep. Porter Calls for Investigation into Dialysis Industry Practices:*** “Congresswoman Katie Porter (CA-45) today called on a Department of Health and Human Services (HHS) watchdog to investigate dialysis providers and patient advocacy groups that are putting patients’ lives at risk and increasing the cost of care for taxpayers. Porter requested additional oversight after hearing complaints that patients were being

pushed toward more expensive insurance options to increase dialysis center profits and to prevent patients from accessing kidney transplants.”

- <https://porter.house.gov/media/press-releases/rep-porter-calls-investigation-dialysis-industry-practices>
- ***House votes to repeal ObamaCare's 'Cadillac tax':*** “The House on Wednesday voted to repeal ObamaCare’s “Cadillac Tax” on high-cost health plans, removing a part of the health law opposed by many in both parties. The wide bipartisan vote of 419-6 illustrates how the tax is one of the few areas of ObamaCare that has opposition across the political aisle. The tax was designed to help keep health care costs down by discouraging overly-generous “Cadillac” health insurance plans. But both unions and employers opposed the tax, helping to set up a broad coalition against it.
 - <https://thehill.com/homenews/house/453603-house-votes-to-repeal-obamacares-cadillac-tax>
- ***Surprise Medical Bill Legislation Takes A Step Forward, But Will It Lead To A Step Back?:*** “The House Energy and Commerce Committee Wednesday approved its version of legislation to curb surprise medical bills. Though this step was an important advance, there’s still a long way forward before Congress agrees on a legislative solution to this high-profile consumer concern. These bills, the unexpected and often high charges patients face when they get care from a doctor or hospital that isn’t in their insurance network, have been the hot issue on Capitol Hill for months. Lawmakers on both sides of the aisle have been tripping over themselves to address the widely loathed problem.”
 - <https://khn.org/news/surprise-medical-bill-legislation-takes-a-step-forward-but-will-it-lead-to-a-step-back/>
- **Week Ahead**
 - ***Pelosi aide: Major bill to lower drug prices coming in September:*** “A top aide to Speaker Nancy Pelosi (D-Calif.) said Monday that House Democrats will unveil their long-awaited bill to lower drug prices in September. Wendell Primus, Pelosi's top health care adviser, said House leadership is almost ready to release the proposal but is opting to wait and not leave drug companies the opportunity to attack the bill during the Congressional recess next month.”
 - <https://thehill.com/policy/healthcare/454192-pelosi-aide-major-bill-to-lower-drug-prices-coming-in-september>

Regulatory and Administration Update

- ***Federal judge upholds Trump's expansion of non-ObamaCare plans:*** “A federal judge on Friday upheld the Trump administration's expansion of health insurance plans that don't meet ObamaCare's coverage requirements. U.S. District Judge Richard Leon in Washington ruled against the insurance companies that sued the administration in an attempt to block the rules.”
 - <https://thehill.com/policy/healthcare/453889-federal-judge-upholds-trumps-expansion-of-non-obamacare-plans>
- ***IRS Greenlights Tax Breaks for Buyers of 23andMe Genetic Tests:*** “Buyers of 23andMe Inc.’s genetic-testing kits will now have an easier time paying for the service with tax-advantaged health accounts after a favorable IRS ruling. The decision offers more clarity to consumers and reduces the cost of the company’s service. It also highlights differences between the tax law’s permissive definition of medical care and health regulators’ more restrictive approach to direct-to-consumer testing products.”
 - <https://www.wsj.com/articles/irs-greenlights-tax-breaks-for-buyers-of-23andme-genetic-tests-11563800520>
- ***With Trump’s Blessing, Some States Aim to Cap Medicaid Rolls:*** “Backed by President Donald Trump, Republicans in Congress have made several runs at changing Medicaid from an entitlement program — open to anybody who is eligible — to a program with a spending limit. They have failed. But that hasn’t stopped some red states, with the encouragement of Trump’s Department of Health and Human Services, from making their own attempts to put historic limits on the federal-state health program for the poor, which covers more than 72 million U.S. residents.”
 - <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2019/07/24/with-trumps-blessing-some-states-aim-to-cap-medicaid-rolls>

Articles of Interest

- ***Improved Oversight Needed to Better Protect Residents from Abuse:*** “To protect vulnerable nursing home residents from abuse, the Centers for Medicare & Medicaid Services (CMS) contracts with state agencies — known as survey agencies — that can cite nursing homes for incidents of abuse. Abuse citations doubled from 2013-2017. We reviewed a 2016-2017 sample of narratives substantiating abuse citations and determined that physical and mental/verbal abuse were more common than sexual abuse, and that perpetrators were often staff.”
 - <https://www.gao.gov/products/GAO-19-433>

- ***A simple bureaucratic organ donation fix will save thousands of lives:*** “The partisan debates raging across the U.S. are often framed as a battle for the nation’s soul. The battle for our nation’s organs, however, is a distinctly more bipartisan affair. Both President Trump — via executive order — and elected officials from both parties are pushing for reforms to improve the U.S. organ donation system in order to save lives and taxpayer dollars. It is a step in the right direction for the more than 113,000 Americans currently on the organ waiting list — and a testament to the importance of collecting accurate data to hold public institutions accountable for their outcomes.”

 - <https://www.statnews.com/2019/07/24/a-simple-bureaucratic-organ-donation-fix-will-save-thousands-of-lives/>
- ***A ‘No-Brainer’? Calls Grow For Medicare To Cover Anti-Rejection Drugs After Kidney Transplant:*** “Wednesday marks seven years since Alexis Conell received the kidney transplant that saved her life, but the 53-year-old Chicago woman isn’t exactly celebrating. Although the federal government paid most of the costs for her 2012 transplant, a long-standing Medicare policy halted coverage three years later for the drugs that keep her body from rejecting the organ.”

 - <https://khn.org/news/kidney-transplant-anti-rejection-drugs-medicare-coverage/>
- ***Report: Arkansas kidney disease deaths 3rd highest in nation:*** “Doctors and others involved in the care of Arkansans with kidney disease are eager to learn how a recently announced federal initiative will address renal disease in the state, which has one of the nation's highest rates of related deaths. President Donald Trump signed an executive order July 10 directing government agencies to take action on chronic kidney disease, including changes in preventive care and payment models through the Centers for Medicare and Medicaid Services.

 - <https://www.lmtonline.com/news/article/Report-Arkansas-kidney-disease-deaths-3rd-14110646.php>
- ***Texas Nurse Kills 5 Patients After Injecting Bleach Into Their Dialysis Tubes:*** “In the United States, 15 percent of adults suffer from Chronic Kidney Disease, leaving them prone to heart attack, stroke and early death, according to the Center for Disease Control and Prevention. For those affected, dialysis centers, such as those run by DaVita Inc., are a godsend, cleaning the blood of those whose kidneys can no longer do so. On its corporate website, DaVita claims its name means “giving life” in Italian. In early 2008, however, lives were being taken at the DaVita Dialysis Center in Lufkin, Texas. A rash of cardiac events and fatal heart attacks were occurring at unprecedented levels. When investigators found out why, it was almost too much to believe: Nurse Kimberly Saenz was injecting bleach into the dialysis machines while patients were still hooked up to them.”

- <https://www.oxygen.com/license-to-kill/crime-time/texas-nurse-kimberly-clark-saenz-dialysis-bleach>
- ***First Came Kidney Failure. Then There Was The \$540,842 Bill For Dialysis:*** “Dialysis centers justify high charges to commercially insured patients because they say they make little or no money on the rates paid for their Medicare patients, who – under the 1973 rule – make up the bulk of their clientele. But nearly \$14,000 per session is extraordinary. Commercial payers usually pay about four times the Medicare rate, according to a recent study. Dialysis companies are quite profitable. Fresenius reported more than \$2 billion in profits in 2018, with the vast majority of its revenue coming from North America.”
 - <https://www.npr.org/sections/health-shots/2019/07/22/743180947/first-came-kidney-failure-then-there-was-the-540-842-bill-for-dialysis>
- ***CVS Pushing Into Kidney Dialysis With Segway Inventor's Help:*** “CVS Health Corp. is beginning human trials of a new home dialysis machine that could shake up the \$35 billion market for end-stage kidney care and create a new business for the drugstore chain. The company plans to offer a device designed by a firm founded by Dean Kamen, the inventor of the two-wheeled Segway personal transporter. The goal is to make the complicated process of dialysis, which cleans toxins from a patient’s blood, easier and safer to do at home. If successful, CVS could threaten the two companies that dominate the market for outpatient dialysis clinics, which most users visit three times a week.”
 - <https://www.bloomberg.com/news/articles/2019-07-17/cvs-pushing-into-kidney-dialysis-with-help-from-segway-inventor>
- ***2 Nurses In Tennessee Preach 'Diabetes Reversal':*** “Type 2 diabetes can be reversed with weight loss and exercise; but research shows that people need lots of help to achieve control of blood sugar with just a change in diet and lifestyle, and they rarely get enough support. It's easier for doctors and patients to rely primarily on medication. Norris says trying to overhaul her diet by herself was confusing and difficult. And when things didn't change, the doctor just kept increasing her dosage of insulin. But then Norris lost her health insurance. The injectable insulin cost her hundreds of dollars a month – money she simply didn't have.”
 - <https://www.npr.org/sections/health-shots/2019/07/22/733748382/2-nurses-in-tennessee-preach-diabetes-reversal>
- ***Millennial Nurses Need Patient Connection to Thrive Professionally, Researcher Says:*** “As one study finds, the quality of nurse and patient communication can affect HCAHPS scores. After implementing a customized nurse training program known as PatientSET, one hospital found that after the training, patients were

15% more likely to be "most satisfied" with communication with nurses, and patients were 33% more likely to be "satisfied" with their discharge information. Caramanzana gave the nurses feedback about her observations and coached them on how to make connections in the short moments they had with patients. For example, she advised they look around the room and ask about patients' family pictures or come out from behind the computer screen to make eye contact with the patients."

- <https://www.healthleadersmedia.com/nursing/millennial-nurses-need-patient-connection-thrive-professionally-researcher-says>
- ***Minnesota doctors welcome Trump's challenge on kidney disease:*** "Meeting the goal, a 25% reduction by 2030, would spare thousands of people from time consuming dialysis and conserve the desperately short supply of donor organs that leaves transplant patients waiting for years. It also would save lives and some of the \$35 billion in federal spending on this population, which makes up 1% of Medicare recipients but 7% of the program's budget. Minnesota physicians and advocates praised last week's challenge by President Donald Trump to improve treatment – noting that it was one of the first times a president has focused on kidney disease since the decision in 1972 to extend Medicare benefits to all kidney patients who needed dialysis or transplants."
 - <http://www.startribune.com/minnesota-doctors-welcome-trump-s-challenge-on-kidney-disease/513013212/>
- ***CVS Health Announces Start of Clinical Trial for New Home Hemodialysis Device:*** "CVS Health (NYSE: CVS) today announced the initiation of a clinical trial designed to evaluate the safety and efficacy of the HemoCare™ Hemodialysis System for administration of home hemodialysis. The innovative device includes safety features and is designed to make home hemodialysis simple for patients. Home hemodialysis helps facilitate longer, more frequent dialysis treatments as compared to in-center treatments, and published clinical research has found that longer, more frequent hemodialysis treatments result in better health outcomes in appropriate patient populations.^{1,2,3} The clinical trial of up to 70 patients will be conducted at up to ten sites in the United States."
 - <https://www.prnewswire.com/news-releases/cvs-health-announces-start-of-clinical-trial-for-new-home-hemodialysis-device-300886119.html>