

American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, July 3, 2017

Congressional Schedule

- House, Senate in recess for July 4 holiday; lawmakers return next week. (*Bloomberg Government*)

Legislative Updates

- **Week in Review:**
 - ***McConnell Delays Vote on Health Bill Amid Mounting GOP Opposition.*** “Senate Majority Leader Mitch McConnell on Tuesday delayed a planned vote this week on Senate Republicans’ health care bill, amid mounting opposition from moderate and conservative members over central aspects of the plan to repeal and replace the Affordable Care Act. “We will not be on the bill this week, but we’re still working toward getting at least 50 people in a comfortable place,” McConnell told reporters after a meeting with Senate Republicans that included Vice President Mike Pence and Chief of Staff Reince Priebus.”
 - To read more: <https://morningconsult.com/2017/06/27/mcconnell-delays-vote-health-bill-amid-mounting-gop-opposition/>
 - ***Dazed GOP bolts Washington in health care disarray.*** “Senate Republicans skipped town on Thursday afternoon facing stiff internal opposition to their health care proposal and a Fourth of July recess in which critics will pummel their effort to repeal Obamacare. Though the Senate whirred to life with deal-making between Senate Majority Leader Mitch McConnell and his members, senators were dazed by the up-and-down week and nowhere near a plan that could get 50 votes. The GOP is planning to write new language to be analyzed by Friday, but were far from reaching a broad agreement as senators had hoped.”
 - To read more: <http://www.politico.com/story/2017/06/29/senate-republicans-health-care-tax-cuts-240091>
 - ***Trump: If Senate Fails, Repeal Obamacare Now, Replace Later.*** “President Donald Trump laid down a new marker in the health care overhaul debate on Friday morning, tweeting that if Republicans are unable to pass a bill they should move to immediately repeal Barack Obama’s 2010 law. Republican senators left Washington on Thursday for an Independence Day recess that will

stretch until July 10 without taking up a leadership-crafted overhaul bill due to lack of support. The measure needs 50 votes – plus Vice President Mike Pence casting the decisive 51st – to pass, but Senate Majority Leader Mitch McConnell was shy of that mark.”

- To read more: <http://www.rollcall.com/news/politics/trump-senate-fails-repeal-obamacare-now-replace-later>

- ***House votes to limit damages from medical malpractice lawsuits.*** “The House passed legislation on Wednesday to limit damages from medical malpractice lawsuits as part of the GOP effort to reform the healthcare system. Republicans passed the bill with few votes to spare in a 218-210 roll call vote. A total of 19 GOP lawmakers from both the centrist and most conservative wings of the party voted against the bill, as did all House Democrats. The bill would cap noneconomic damages, such as emotional suffering, to \$250,000. The bill would also establish a three-year statute of limitations after an injury, or one year after the discovery of an injury.”

- To read more: <http://thehill.com/blogs/floor-action/house/339947-house-votes-to-limit-medical-malpractice-lawsuits>

- **Week Ahead:**

- ***With health bill looming, senators aren't rushing into the July Fourth spotlight.*** “Sen. Susan Collins will celebrate the Fourth of July within view of the Canadian border, at a remote northeastern Maine town’s annual parade. Sen. Lisa Murkowski will appear on the other end of the continent in an old timber town on an isolated Alaskan island. These two Republican senators, critical swing votes in the debate over health-care legislation, are not exactly rushing into the public spotlight to engage their constituents on the controversial plan and their own decision-making about the proposal. Then again, at least they have released information about where they will be. That’s more than most Senate Republicans have done at the start of a 10-day break wrapped around the nation’s Independence Day celebration. This creates the belief among liberal activists that Republicans are trying to hide, which in turn primes every public moment to become that much more confrontational.”

- To read more: https://www.washingtonpost.com/powerpost/with-health-bill-looming-senators-arent-rushing-into-the-july-fourth-spotlight/2017/07/01/5e86982c-5ddd-11e7-9fc6-c7ef4bc58d13_story.html?utm_term=.7eda535e5ba5

- ***ObamaCare fight moves from Washington to local districts.*** “Advocacy groups opposing the Senate’s health plan are seizing on a weeklong congressional recess to turn up the heat on Republicans. Groups on the left and the right, running the gamut from Planned Parenthood to Freedomworks, say they will use the break to pressure members before a possible vote on legislation as soon as the second week of July. “We know the bill is coming back as bad as ever, so we’re going to turn up the heat,” said MoveOn Campaign Director Justin Krebs. “The bill is not

what was promised to voters,” said ForAmerica President David Bozell. “It’s a liberal piece of legislation that has been met with record low levels of support.”

- To read more: <http://thehill.com/policy/healthcare/340294-obamacare-fight-moves-from-washington-to-local-districts>

Regulatory and Administration Updates

- ***CMS proposes \$100 million funding increase for dialysis centers.*** “Facilities treating Medicare patients with end-stage renal disease would see \$100 million in additional funding next year under a CMS proposal, a bigger pay bump than they received last year. In a proposed rule released Thursday, the agency suggested the 0.8% pay raise for 2018, compared with a 0.73% payment bump for 2017. The rule also proposes some technical tweaks to quality measures that will apply to dialysis centers starting in 2019. The CMS requested comments on whether the dialysis centers should be evaluated under the same quality metrics for acute kidney injury patients as end-stage renal disease patients.”
 - To read more: <http://www.modernhealthcare.com/article/20170630/NEWS/170639998>
 - Proposed Rule (Medicare Program: End-Stage Renal Disease Prospective Payment System, Payment for Renal Dialysis Services Furnished to Individuals with Acute Kidney Injury, and End-Stage Renal Disease Quality Incentive Program): <https://www.federalregister.gov/documents/2017/07/05/2017-13908/medicare-program-end-stage-renal-disease-prospective-payment-system-payment-for-renal-dialysis>
 - Fact Sheet: <https://www.cms.gov/Newsroom/MediaReleaseDatabase/Fact-sheets/2017-Fact-Sheet-items/2017-06-29.html>
- ***FDA combats high drug prices by expediting review of generics.*** “The Food and Drug Administration took steps Tuesday to try to curb drug prices by increasing competition in the pharmaceutical market. The FDA posted a list of branded drugs that are not protected by a patent and are not facing looming generic drug competition in an effort to increase transparency and encourage generic drug development. The agency will fast-track its review of generic drug applications, known as abbreviated new drug applications, a policy move that the FDA called the first of its kind.”
 - To read more: <http://www.modernhealthcare.com/article/20170627/NEWS/170629897/fda-combats-high-drug-prices-by-expediting-review-of-generics>
- ***Trump Nominates Indiana Health Commissioner as Surgeon General.*** “President Trump has nominated Dr. Jerome M. Adams, the health commissioner for Indiana and a strong advocate of needle exchanges to avoid the spread of disease, to be the surgeon general of the United States. Dr. Adams, 42, was first appointed to the Indiana post in October 2014 when Vice President Mike Pence was governor. Shortly after Dr. Adams took office, there was an unusual H.I.V. outbreak in Scott County, a rural Indiana community near the Kentucky border.”
 - To read more: <https://www.nytimes.com/2017/06/29/health/surgeon-general-jerome-adams.html>

Articles of Interest

- ***A Third of Doctors Plan to Do Minimum Under Medicare Pay Program.*** “A third of physicians who expect to participate in the first year of Medicare’s new reporting program plan to do the bare minimum required to avoid a penalty. A survey of 1,000 practicing physicians who have been involved in practice decision-making about the new quality payment program showed that just a third planned to meet all the reporting requirements. The Medicare agency gave clinicians the choice of reporting requirements for a full 90 consecutive days and earning the chance for bonuses of up to 10 percent, submitting partial data and earning a slight bonus, or avoiding a penalty by reporting one measure. About 30 percent are going with the last option, according to the American Medical Association and KPMG LLP, an audit company. The two groups surveyed the doctors in the spring.”
 - To read more: <https://www.bna.com/third-doctors-plan-n73014461049/>

- ***Charity Funded by Drugmakers Draws IRS Probe on Tax Exemption.*** “The U.S. Internal Revenue Service has opened a probe into the tax-exempt status of a charity funded by pharmaceutical companies, threatening a lifeline the industry uses to help patients buy expensive drugs for cancer, multiple sclerosis and other diseases. The agency is exploring whether the Chronic Disease Fund, a patient-assistance charity funded largely by drugmakers, gave “impermissible” benefits to its corporate donors, according to federal court filings. An IRS analysis found that 95 percent of the \$129.3 million the charity spent on co-payment support in its public programs in 2011 went to patients taking drugs made by the very companies that had donated the money, according to court papers.”
 - To read more: <https://www.bloomberg.com/news/articles/2017-06-29/charity-funded-by-drugmakers-draws-irs-probe-on-tax-exemption>

- ***Hospitals Ramp Up Hyperbaric Therapy For Diabetics, Despite Concerns.*** “The Villages Regional Hospital did not sweat its decision to add hyperbaric oxygen therapy in 2013. Hyperbaric treatment, increasingly given to diabetics – many of them elderly with persistent wounds – involves breathing pure oxygen inside a pressurized air chamber typically for two hours each weekday, often for more than a month. Twenty outpatient sessions can bring a hospital \$9,000 in revenue. Villages serves a central Florida retirement community that supplied nearly half of the hyperbaric patients at another hospital 30 minutes away. Hospital officials knew their clientele preferred their medical appointments only a golf-cart’s ride from home.”
 - To read more: <http://khn.org/news/hospitals-put-more-stock-in-hyperbaric-therapy-for-diabetics-despite-concerns/>

- ***Catheters Often to Blame for Blood Infections After Dialysis.*** “Tubes called catheters that are used to draw and return blood to the body during dialysis appear to cause the majority of bloodstream infections in people receiving dialysis for kidney problems, a new study finds. Three-quarters of bloodstream infections in dialysis patients were related to accessing their blood, the 2014 U.S. Centers for Disease Control and Prevention data showed. The information came from more than 6,000 outpatient dialysis centers in 2014. There were nearly 30,000 bloodstream infections reported, the study

found. The analysis also found that 63 percent of all bloodstream infections and 70 percent of access-related bloodstream infections occurred in patients with a central venous catheter -- also called a central line. Other dialysis complication rates were also highest among patients using central venous catheters, the findings showed.”

- To read more: <http://health.usnews.com/health-care/articles/2017-06-30/catheters-often-to-blame-for-blood-infections-after-dialysis>

Events of Interest

Thursday, July 6th

- “Join the National Academy of Medicine on July 6 in Washington, DC as it releases the special publication Effective Care for High-Need Patients. This public meeting will serve as a launch for the publication and an opportunity to discuss action priorities for improving the effectiveness and efficiency of care for high-need patients.”
 - For more information: <http://nam.edu/HighNeeds>
 - Register to attend in-person or via live webcast: <https://www.eventbrite.com/e/effective-care-for-high-need-patients-a-special-publication-from-the-nam-tickets-34302119563>