

American Nephrology Nurses Association

Weekly Capitol Hill Update - Tuesday, August 1, 2017

Congressional Schedule

Senate

- Senate meets at 10am; resumes consideration of the nomination of Kevin Newsom to be a judge on the 11th U.S. Circuit Court of Appeals.
- Senators hold party luncheons; look for next steps on health-care after last week's collapse of the GOP effort to replace Obamacare.
- John Thune, Senate's no. 3 Republican, says chamber is focusing on tax-code changes and won't bring up health-care legislation again until senators come up with a bill that can get 50 votes.
- White House legislative aide Marc Short said plan for tax code rewrite is to start hearings and markup of the bill after Labor Day so a version can get through the House in October and the Senate in November.

House

- House out until after August recess.

Legislative Updates

- **Week in Review:**
 - *On Health, Republicans Find They Cannot Beat Something With Nothing.* "For years, congressional Republicans have promised that their policy ideas, paired with a Republican in the White House, would lead to an instant obliteration of President Barack Obama's health care law and the advent of something less expensive, more efficient and delivering better care. In the wee hours of Friday morning, that plan unraveled on the floor of the Senate, undermined by a toxic brew of a poorly assembled bill, the undeniable rising popularity of the current health care law among many Republican governors and voters, and a president who undermined the efforts at every turn, spending the final crucial days threatening the senators he was trying to woo while attacking an attorney general they admire. Senator Mitch McConnell of Kentucky, the Republican leader, tried after the failed health care vote to blame Democrats, whom he criticized for not participating "in a serious way" in the process that he pointedly prevented them from joining."

- To read more: <https://www.nytimes.com/2017/07/28/us/politics/republicans-health-care-legislation-gridlock.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=b-lede-package-region®ion=top-news&WT.nav=top-news>
 - *How McCain tanked Obamacare repeal.* “Paul Ryan couldn’t persuade him. Neither could Mike Pence. And in the end, President Donald Trump couldn’t reel in John McCain either. The president made a last-ditch effort, calling the Arizona senator and key holdout on the GOP’s Obamacare repeal measure, as the bill’s fate hung in the balance, according to two sources familiar with the conversation. After Pence had spent about 20 minutes working McCain, the senator went off the floor to speak with Trump by phone, those sources said. Whatever the men said, it didn’t work. Shortly before 1:30 a.m. Friday, McCain strode to the well of the Senate, and gestured his hand downward to vote “no.” Stunned gasps echoed throughout the chamber.”
 - To read more: <http://www.politico.com/story/2017/07/28/how-mccain-upended-obamacare-repeal-241070>
 - *House passes bill to allow private accreditors to certify dialysis centers.* “The U.S. House of Representatives unanimously passed a bipartisan bill on Tuesday that would allow private accreditation organizations to certify dialysis facilities. But experts are concerned that the change could threaten patient safety. The CMS and states currently certify dialysis facilities, but patient advocacy groups and dialysis centers claim that process is too slow to meet demand. The House reform proposal is part of the larger Medicare Part B Improvement Act.”
 - To read more: <http://www.modernhealthcare.com/article/20170725/NEWS/170729942>
- **Week Ahead:**
 - *GOP leaders say it’s time for Senate to move on from health care.* “Senate Republican leaders signaled Monday that they intend to move on from health care to other legislative priorities, even as President Trump continued to pressure lawmakers to repeal and replace the Affordable Care Act. “We’ve had our vote, and we’re moving on to tax reform,” said Sen. John Thune (S.D.), one of Senate Majority Leader Mitch McConnell’s top lieutenants, speaking of the next big GOP legislative priority. Sen. Roy Blunt (Mo.), another member of the Republican Senate leadership, put it this way: “I think it’s time to move on to something else. Come back to health care when we’ve had more time to get beyond the moment we’re in – see if we can’t put some wins on the board.”
 - To read more: https://www.washingtonpost.com/powerpost/gop-leaders-say-its-time-for-senate-to-move-on-from-health-care/2017/07/31/d6000d3c-760d-11e7-9eac-d56bd5568db8_story.html?utm_term=.d4d0466686b4

- ***GOP lawmakers, Trump at odds over insurance payments.*** “Lawmakers are facing off with President Trump over key ObamaCare payments that are in jeopardy after the collapse of efforts to repeal the healthcare law. Trump is threatening to cancel the payments, known as cost-sharing reductions (CSRs), as part of his effort to make ObamaCare “implode.” But he is running into opposition from key Republicans, including Senate Finance Committee Chairman Orrin Hatch (Utah) and House Ways and Means Committee Chairman Kevin Brady (Texas), who say they want to find a way to guarantee the payments, which reimburse insurers for giving discounted deductibles to low-income ObamaCare enrollees.”
 - To read more: <http://thehill.com/policy/healthcare/344700-gop-lawmakers-trump-at-odds-over-insurance-payments>

- ***GOP senator meets with Price, governors on healthcare.*** “Sen. Bill Cassidy (R-La.) met with a top administration official on Monday as the White House tries to revive ObamaCare repeal after last week's setback in the Senate. The Louisiana Republican met at the White House with fellow physician Tom Price, President Trump's secretary of Health and Human Services, and governors to try to find a path forward on healthcare.... Cassidy's meeting comes after Trump met with Sen. Lindsey Graham (R-S.C.) at the White House on Friday, where they discussed the healthcare proposal that Graham is working on with Cassidy and Sen. Dean Heller (R-Nev.) that would transfer decision-making authority back to state governments.”
 - To read more: <http://thehill.com/blogs/floor-action/senate/344630-gop-senator-meeting-with-price-governors-on-healthcare>

 - ***Newest GOP health care attempt faces same tough odds.*** “The latest attempt to resuscitate the GOP's repeal bid would reshape the nation's health care system by sharply curtailing the federal government's role and placing the future of Obamacare in the hands of governors. But Republican senators will have a hard time overcoming the internal divisions that doomed their three attempts last week to unravel the Affordable Care Act. The proposal spearheaded by Sens. Bill Cassidy of Louisiana and Lindsey Graham of South Carolina would send billions of dollars in federal funding set aside for Obamacare directly to states in the form of annual block grants, and give them near-complete control over how to use the money. States could pour funds into ensuring Obamacare continues to function, they said. And those states that don't would also be free to scrap their health care systems and start anew with little federal interference.”
 - To read more: http://www.politico.com/story/2017/08/01/obamacare-republicans-senate-repeal-241189?lo=ap_a1

- ***Bipartisan group floats ObamaCare fixes.*** “Dozens of House lawmakers from both parties unveiled a series of proposals on Monday designed to fix problems dogging the Affordable Care Act... The group's plan features five prongs. It would create a “stability fund” to help states reduce premium costs for those with pre-existing conditions; repeal a 2.3 percent tax on medical devices; overhaul the employer

mandate by exempting businesses with fewer than 500 employees, up from the current 50-employee threshold; and make technical changes encouraging states to “experiment” in new ways to reduce costs and offer more coverage options, including efforts to sell plans across state lines. Perhaps most significantly, the proposal would also guarantee federal payments, known as cost-sharing reductions, to insurance companies that reduce out-of-pocket costs for low-income patients. President Trump is threatening to cancel those payments to make ObamaCare “implode,” and Health and Human Services Secretary Tom Price said Sunday that “no decision’s been made” about future payments.”

- To read more: <http://thehill.com/homenews/house/344584-bipartisan-group-floats-obamacare-fixes>
- ***White House opioid commission urges Trump to declare federal state of emergency.*** “The White House's opioid commission is recommending that President Trump declare a federal state of emergency over the epidemic, which has struck dozens of states. The commission, led by New Jersey Gov. Chris Christie (R), filed a long-awaited report on the crisis on Monday after missing its second deadline extension earlier this month.”
 - To read more: <http://thehill.com/business-a-lobbying/344674-white-house-opioid-commission-urges-trump-to-declare-federal-state-of>

Regulatory and Administration Updates

- ***No review planned on home dialysis codes in proposed physician fee schedule.*** “Concerns that the codes used to determine payment for home dialysis patients would be revised were alleviated when the Centers for Medicare & Medicaid Services released the 2018 Medicare Physician Fee Schedule on July 13. While CMS reaffirmed its position in the proposed rule that the home dialysis codes are misvalued, plans for a large-scale revaluation of those codes was not indicated.”
 - To read more: <http://www.nephrologynews.com/no-review-planned-home-dialysis-codes-proposed-physician-fee-schedule/>
- ***CMS proposes chopping \$1 billion from home health reimbursement over two years.*** “For the fourth straight year, the CMS is proposing to drop reimbursement for home healthcare agencies in the Medicare program, including a \$950 million cut for 2019. On Tuesday, the CMS proposed a 0.4% decrease, or \$80 million cut for the providers in 2018. That's less than \$130 million that was cut in 2017, but it is the latest in a succession of drops of reimbursement dating back to 2014. Most of the cuts were called for in the Affordable Care Act, which mandated the reduction to address Medicare overpayments for home health services dating back to 2000. The CMS cut payments by \$260 million for 2016, \$60 million for 2015 and \$200 million for 2014.”
 - To read more: <http://www.modernhealthcare.com/article/20170725/NEWS/170729937/cms-proposes-chopping-1-billion-from-home-health-reimbursement-over>

- **House panel launches initiative to reduce Medicare regulations, mandates.** “The House Ways and Means Health Subcommittee seeks input through Aug. 25 on how Congress can reduce legislative and regulatory burdens on Medicare providers. The request is the first step in a committee initiative to work with health care providers and the administration to deliver regulatory relief. The panel also plans to host roundtables with stakeholders across the country.”
 - To read more: <https://waysandmeans.house.gov/tiberi-announces-new-initiative-reduce-medicare-regulations-mandates-improve-seniors-health-care/>

Articles of Interest

- **Kidney disease risk score can be built into patients' electronic health records.** “A new electronic health record (EHR) tool could help physicians quickly and accurately flag patients that should be referred to a nephrologist. Designed by Brigham and Women’s Hospital investigators, this tool draws upon recent research that has identified several tests that can be used to calculate an individual’s risk score. Now, an automatic calculator can be built into EHRs and displayed prominently for a physician to see when they open a patient’s record. The tool was piloted at ten North Shore Physicians Group clinics this year, and a paper detailing the design and implementation of the application appear online this week in The Journal of the American Medical Informatics Association.”
 - To read more: <http://www.nephrologynews.com/kidney-disease-risk-score-can-built-patients-electronic-health-records/>

Congressional Hearings of Interest

Tuesday, August 1st

- The Senate Health, Education, Labor, and Pensions Committee on holds a hearing to examine the nominations of Lance Allen Robertson, of Oklahoma, to be Assistant Secretary for Aging, Brett Giroir, of Texas, and Robert P. Kadlec, of New York, both to be a Medical Director in the Regular Corps of the Public Health Service, and to be Assistant Secretary for Preparedness and Response, and Elinore F. McCance-Katz, of Rhode Island, to be Assistant Secretary for Mental Health and Substance Use, all of the Department of Health and Human Services, and Jerome M. Adams, of Indiana, to be Medical Director in the Regular Corps of the Public Health Service, and to be Surgeon General of the Public Health Service.
 - 2:30 p.m., 430 Dirksen Senate Office Building

Other Events of Interest

Thursday, August 3rd and Friday August 4th, 2017

- NHSN will twice present a webinar on Introduction to the NHSN Dialysis Event Surveillance Protocol, once on August 3, 2017 and again on August 4, 2017. NHSN Dialysis Event Surveillance reporting is required for the CMS ESRD QIP. This webinar

will provide a complete introduction to the NHSN Dialysis Event reporting requirements and the surveillance definitions necessary to complete accurate monthly reporting. CDC subject matter experts will be available to answer questions, and continuing education credits will be provided. Pre-registration is required, at:

- August 3,
2017: <https://cc.readytalk.com/registration/#/?meeting=9mk8wwdsoete&campaign=75telj89f5v>.
- August 4,
2017: <https://cc.readytalk.com/registration/#/?meeting=69hc839cwgqvq&campaign=tti2zfpqfm4y>.

Monday, August 7th - Tuesday, August 8th, 2017

- The National Institute of Nursing Research and partners host a summit on “The Science of Caregiving: Bringing Voices Together.”
 - 11:00 a.m. Monday through 3:30p.m. Tuesday, Ruth Kirschstein Auditorium, Natcher Building (Building 45), NIH Campus, Bethesda, MD and videocasted live online
 - To learn more and to register:
<https://www.ninr.nih.gov/newsandinformation/events/caregivingsummit>