

## American Nephrology Nurses Association

Weekly Capitol Hill Update - Monday, September 24, 2018

### Congressional Schedule

#### Senate

- Senate meets at 3pm

#### House

- House returns from recess; no votes are expected today

### Legislative Update

- **Week in Review**
  - **U.S. Senate passes Defense and Labor-HHS appropriations minibus.** “U.S. Senator Jerry Moran (R-Kan.) today supported the Senate’s passage of H.R. 6157, the Department of Defense; Labor, Health and Human Services, Education, and Related Agencies minibus appropriations bill, after serving on the Conference Committee to negotiate the House and Senate’s differences in their respective versions of H.R. 6157. Sen. Moran is a member of the U.S. Senate Appropriations Subcommittee on Defense and Subcommittee on Labor, Health and Human Services, and Related Agencies. Other members of the Conference Committee for H.R. 6157 included Senators Richard Shelby (R-Ala.), Roy Blunt (R-Mo.), Lindsey Graham (R-S.C.), Patrick Leahy (D-Vt.), Patty Murray (D-Wash.) and Dick Durbin (D-Ill).”
    - Read more: <https://www.kwch.com/content/news/US-Senate-passes-Defense-and-Labor-HHS-Appropriations-Minibus-493640111.html>
  - **Senate passes bipartisan opioid package.** “In a rare bipartisan move, the Senate on Monday passed legislation aimed at combating the opioid epidemic that had overwhelming support from both sides of the aisle. The package is made up of provisions from five Senate committees and more than 70 lawmakers, and comes after the House passed a similar bill in June. This legislation was sponsored by Tennessee Republican Sen. Lamar Alexander, chairman of the Senate Health Committee, and includes several initiatives that work to curb the opioid crisis. The package has provisions that would give the US Food and Drug Administration the authority to require specific packaging for opioids, as well as a push for research on non-addictive pain killers, according to a previous statement from Alexander.”

- Read more: <https://www.cnn.com/2018/09/17/politics/senate-opioid-package/index.html>
  - *Senate passes bill to ban 'gag clauses' and free pharmacists to discuss drug pricing options.* "The Senate on Monday overwhelmingly passed a bill that would let pharmacists inform consumers when it's cheaper to buy a drug without insurance, as lawmakers inched closer to delivering the Trump administration a win – albeit a small one – in the effort to lower drug prices. So-called gag clauses prevent a pharmacist from telling consumers when their insurance co-pay is higher than the cash price for a drug. The administration has sought to outlaw the clauses, and its push to do so is one of the few ideas in its drug pricing plan to advance so far in Congress."
    - Read more: <https://www.statnews.com/2018/09/17/senate-passes-bill-to-ban-gag-clauses-and-free-pharmacists-to-discuss-drug-pricing-options/>
  - *Bipartisan group wants to lift Medicaid restriction on substance abuse treatment.* "A bipartisan group of senators want Congress' final opioids package to lift a decades-old restriction on Medicaid funding for substance abuse treatment. Sens. Rob Portman (R-Ohio), Ben Cardin (D-Md.), Dick Durbin (D-Ill.) and Sherrod Brown (D-Ohio) introduced a proposal Tuesday to allow states to use Medicaid money to pay for coverage at addiction treatment facilities for people with diagnosed substance use disorders for up to 90 consecutive days – something prohibited under federal Medicaid law."
    - Read more: <https://thehill.com/regulation/healthcare/407283-bipartisan-group-wants-to-lift-medicaid-restriction-on-substance-abuse>
- **Week Ahead**
  - *Generics would hit the market faster under Senate bill, saving more than \$3B, says CBO.* "Lower-price drugs would hit the market faster under a bipartisan bill awaiting a vote in the Senate, according to a score released Wednesday by the Congressional Budget Office and the Joint Committee on Taxation. The legislation, known as the CREATES Act, passed the Senate Judiciary Committee in June but hasn't yet been scheduled for a vote on the floor. CBO estimates that it would reduce spending by \$3.3 billion from 2019 to 2028, mostly through the Medicare and Medicaid programs spending less on prescription drugs."
    - Read more: <https://www.washingtonexaminer.com/policy/healthcare/generics-would-hit-the-market-faster-under-senate-bill-saving-more-than-3b-says-cbo>
  - *Republicans 'duck and cover' on pre-existing conditions.* "Republicans are struggling to convince voters they will protect people with pre-existing conditions as Democrats trying to build a blue wave for November pound them for threatening to take away sick people's health care. Republicans have sought for weeks to defuse public angst over the issue, alternately vowing to protect

coverage for vulnerable Americans while trying to fire up opposition to Democrats' growing embrace of single payer."

- Read more: <https://www.politico.com/story/2018/09/19/obamacare-midterms-republicans-pre-existing-conditions-793328>
- ***Congress set to keep government open, delay action on border wall.*** "Congress is set to pass a crucial spending bill that averts a government shutdown, but there's one potential obstacle: President Donald Trump. With less than a week before a Sept. 30 deadline for a partial shutdown, Republican leaders hope they can get Trump to set aside his frustration about the wall and sign legislation that funds the military and a host of civilian agencies for the next year. The bill also would provide a short-term fix to keep the government running through Dec. 7. The Senate easily approved the measure last week, with only seven senators voting no. The vote in the House is expected to be closer, with House conservatives voicing displeasure that money is included for Planned Parenthood but not the wall. Separate spending bills being considered in the House and Senate provide funding for the wall, and GOP leaders have said they prefer to resolve the issue after the Nov. 6 elections."
  - Read more: <https://www.wcjb.com/content/news/Congress-set-to-fund-government-but-not-Pres-Trumps-wall-494134831.html>
- ***Senate passes opioid package, final vote expected soon.*** "The U.S. Senate this week passed the Opioid Crisis Response Act, legislation that would reauthorize state funding to address opioid abuse, authorize a range of new grants aimed at addressing the nation's opioid crisis, and support expansion of medication-assisted treatment as well as the development of alternate pain management strategies, among other provisions. The House and Senate bills must now be reconciled before a final vote in both chambers. House and Senate leaders have been 'pre-conferencing' their packages, informally working out differences in hopes of reaching an agreement in short order."
  - Read more: <https://www.hanys.org/news/?storyid=5356>
- ***A new petition from House Democrats could complicate Nancy Pelosi's future.*** "In a move described as a direct shot at Nancy Pelosi, some Democrats are trying to make it more difficult for one of their own to become speaker of the House. At least 10 Democrats in the lower chamber have signed on to a letter to Caucus Chair Joe Crowley seeking a change to caucus rules that would raise the number of votes required to nominate a candidate for speaker. Current rules mandate that a nominee receive support from only a simple majority of caucus members before advancing to the floor for a vote. The letter requests that threshold be changed to 218, a majority of the House."
  - Read more: <https://www.theatlantic.com/politics/archive/2018/09/nancy-pelosi-house-democrats/570781/>

### **Regulatory and Administration Update**

- ***Trump admin awards over \$1 billion in grants to fight opioid epidemic.*** “The Department of Health and Human Services (HHS) announced Wednesday that it has awarded more than \$1 billion in grants to states, communities and organizations fighting the opioid crisis. The vast majority of that funding – \$930 million – is intended to support states' efforts to provide treatment and prevention services to combat opioid abuse. Another \$352 million was awarded to 1,232 community health centers to increase access to services for substance use disorder and mental health needs. An additional \$194 million in grant funds were also awarded to states to conduct research on the opioid epidemic and to ramp up response and prevention activities.”
  - Read more: <https://thehill.com/policy/healthcare/407437-hhs-awards-more-than-1-billion-in-grants-to-fight-opioid-epidemic>
- ***Trump health official defends funding shifts to pay for detained migrant children.*** “A top White House health official on Thursday defended a decision to shift money from health efforts in order to help pay to house detained migrant children. Joe Grogan, director of health programs at the White House Office of Management and Budget, told reporters the administration will not divert money from anti-opioid efforts.”
  - Read more: <https://thehill.com/policy/healthcare/407623-administration-health-official-defends-funding-shifts-to-pay-for-detained>
- ***Trump administration warns California against 'safe' opioid injection sites.*** “The Justice Department is threatening to shut down San Francisco's proposed test of supervised injection sites amid the opioid crisis even before the governor has a chance to sign the pilot program into law. The looming showdown could affect similar efforts in New York, Philadelphia and Seattle, where officials have grappled with the ramifications of setting up spaces where drug users could shoot up while gaining access to clean syringes, medical professionals and treatment services as an approach to curb opioid addiction and overdose deaths.”
  - Read more: <https://www.politico.com/story/2018/08/28/san-franciscos-safe-injection-sites-justice-department-759017>

#### **Articles of Interest**

- ***Nurse practitioners: A solution to America's primary care crisis.*** “For the past few decades, the United States has not produced enough primary care physicians. Moreover, too few physicians practice in rural and medically underserved areas, and the number of people lacking adequate access to primary care has increased. Meanwhile, studies have piled up pointing to the high quality of care that nurse practitioners (NPs) provide, and increasing numbers of policy-influencing bodies have recommended expanding the use of NPs in primary care. Yet, barriers to the expanded use of NPs persist, and, consequently, tens of millions of Americans lack adequate access to primary care services. This report describes and integrates new evidence from a research program focused on the primary care workforce, NPs' role in primary care, and the potential for NPs to help solve the problem of Americans' access to quality primary care.”
  - Read more: <https://www.aei.org/wp-content/uploads/2018/09/Nurse-practitioners.pdf>

- ***Prevalence of total, diagnosed, and undiagnosed diabetes among adults: United States, 2013-2016.*** “Diabetes is a major cause of morbidity and mortality in the United States. Diabetes can be present but undiagnosed, meaning that a person can have diabetes but not report having ever been told by a doctor or health professional that they have the condition. Type 2 diabetes can progress over an extended time period with gradual, often unnoticed, changes occurring before diagnosis. If left unmanaged, diabetes may contribute to serious health outcomes including neuropathy, nephropathy, retinopathy, coronary artery disease, stroke, and peripheral vascular disease. This report presents the prevalence of total, diagnosed, and undiagnosed diabetes in U.S. adults in 2013–2016.”

  - Read more: <https://www.cdc.gov/nchs/products/databriefs/db319.htm>
- ***Sedentary behavior and CKD.*** “Sedentary behaviors are certainly associated with higher incidences of diabetes, hypertension, and cardiovascular disease. Moreover, the relationship could be bidirectional, since chronic kidney disease (CKD) itself and its accompanying comorbid conditions could make physical activity more difficult. Using data from the Canadian Health Measures Survey (CHMS), Glavinovic et al from the University of Manitoba explore this relationship in a recent article published in *AJKD*.”

  - Read more: <https://ajkdblog.org/2018/09/19/sedentary-behavior-and-ckd/>
- ***Certain factors linked with kidney function recovery in children on dialysis.*** “Children with kidney failure due to certain diseases may regain kidney function and therefore no longer need dialysis, and kidney transplantation might be postponed. The findings, which appear in an upcoming issue of the *Clinical Journal of the American Society of Nephrology (CJASN)*, may help clinicians better allocate scarce donor kidneys to pediatric patients.”

  - Read more: [https://www.eurekalert.org/pub\\_releases/2018-09/ason-cf1091518.php](https://www.eurekalert.org/pub_releases/2018-09/ason-cf1091518.php)
- ***Health behaviors in younger and older adults with chronic kidney disease: results from the CRIC study.*** “A cornerstone of kidney disease management is participation in guideline recommended health behaviors. However, the relationship of these health behaviors with outcomes, and the identification of barriers to health behavior engagement have not been described among younger and older adults with chronic kidney disease. Identifying health behavior patterns and barriers may help target high-risk groups for strategies to increase participation in health behaviors.”

  - Read more: [https://www.kireports.org/article/S2468-0249\(18\)30201-8/fulltext](https://www.kireports.org/article/S2468-0249(18)30201-8/fulltext)
- ***Mom-to-be's high-gluten diet linked to Type 1 diabetes in baby.*** “If a pregnant woman eats a lot of high-gluten foods, the odds that her child will have type 1 diabetes rise significantly, new research suggests. In the study, pregnant women who had the highest consumption of gluten had double the risk of having a child with type 1 diabetes compared to those who ate the least gluten. Gluten is a protein found in wheat, rye and barley. However, the study authors noted that it's too soon to recommend that pregnant women change their diets based on the results of this one study.”

  - Read more: <https://consumer.healthday.com/vitamins-and-nutrition-information-27/gluten-975/mom-to-be-s-high-gluten-diet-linked-to-type-1-diabetes-in-baby-737864.html>

- ***Dialysis providers reopen clinics after Hurricane Florence floods the Carolinas.*** “Dialysis companies caring for patients in North and South Carolina and Georgia have reopened most clinics after combating torrential rain and flooding from Hurricane Florence. During the height of the storm, providers had to close more than 40 clinics across the three states. A few clinics remain closed this week. Despite preparations for the storm’s impact in Virginia, residents and health care facilities there were spared major damage, including dialysis units owned by the University of Virginia.”

  - Read more: <https://www.healio.com/nephrology/kidney-care-community/news/online/%7Baae9f4f3-dada-4e7c-b023-1b224de3e9bd%7D/dialysis-providers-reopen-clinics-after-hurricane-florence-floods-the-carolinas>
- ***Health, United States, 2017, with special feature on mortality.*** “Health, United States, 2017 is the 41st report on the health status of the country, and is submitted by the Secretary of the U.S. Department of Health and Human Services to the President and the Congress of the United States in compliance with Section 308 of the Public Health Service Act. This report was compiled by the Centers for Disease Control and Prevention’s (CDC) National Center for Health Statistics (NCHS).”

  - Read more: <https://www.cdc.gov/nchs/data/hs/hs17.pdf>
- ***Despite changes to US kidney allocation system, inequality persists.*** “The implementation of a new U.S. kidney transplant allocation system did not solve many of the inequities that low-income and minority kidney disease patients face, Drexel University College of Medicine researchers found in a new study published recently in the journal *Clinical Transplantation*. The study strengthens the argument that early disease diagnosis and preemptive waitlisting (being "listed" before requiring chronic dialysis) remain the most effective strategies to improve survival chances - strategies that many of the country's most vulnerable populations still do not have access to.”

  - Read more: [https://www.eurekalert.org/pub\\_releases/2018-09/du-dct091718.php](https://www.eurekalert.org/pub_releases/2018-09/du-dct091718.php)
- ***A donation disparity.*** “According to federal data, blacks account for just 13 percent of the U.S. population, but they make up nearly 30 percent of the more than 114,000 U.S. patients waiting for organ transplants. And although black patients comprise around 33 percent of those waiting for a kidney and 25 percent of those waiting for a heart, those in the racial group make up less than 15 percent of living and deceased organ-donor pools.”

  - Read more: <https://www.usnews.com/news/healthiest-communities/articles/2018-09-18/african-american-organ-transplant-patients-face-additional-hurdles>
- ***You need a new kidney to stay alive. Would you reject one from someone who died of a drug overdose?*** “It’s hard to fathom any goodness coming from the opioid crisis and the family tragedies it causes every day. But it does, in the form of an increase in organs available to people who need new hearts, livers, kidneys, and other organs. Given the huge shortage of donors, it is bewildering and disheartening when an individual who

needs a kidney declines one from a donor who died of an overdose. By their ages only, many of those dying of overdoses would be considered in the prime of life. Their organs have years of vitality left, and can give the thousands of Americans on organ wait lists the chance for new lives.”

- Read more: <https://www.statnews.com/2018/09/18/kidney-organ-donor-drug-overdose/>
  
- **Best predictor of obesity might be your zip code, says new report on overweight America.** “A new national obesity report was released this week, and as report cards go, things aren’t looking that great for America. The latest data, from the Trust for America’s Health and the Robert Wood Johnson Foundation, show that seven states are now reporting adult obesity rates above 35 percent, up from five states last year. According to TFAH, obesity is the nation’s most pervasive public health crisis, resulting in an estimated \$149 billion annually in health care costs and another \$66 billion in lost productivity costs, such as workplace absenteeism. Wiesman and others whose job it is to raise the alarm on this problem say there are measures that can successfully combat the crisis. The trouble is those measures are not equally applied; according to the latest report, your chances of being obese can be predicted by one factor – your ZIP code.”
  - Read more: <http://www.baltimoresun.com/health/sc-fam-obesity-report-illinois-data-0925-story.html#nt=oft01a-1la1>
  
- **Amid revenue decline, Fitbit introduces health feature for diabetes, hypertension.** “Fitbit has struggled to keep up with competitors in the smartwatch business. Now the San Francisco fitness device maker is announcing a new health care service it hopes will help millions monitor chronic conditions like diabetes and hypertension. It is the latest push by Fitbit to make inroads in the health care space, which tech giants like Apple and Amazon are also moving into. The new service, Fitbit Care, allows users to digitally sync their own health management tools – such as weight scales, glucose-monitoring devices and even details from electronic medical records – to the Fitbit app, with the goal of consolidating health data in one place. Gathering that data, Fitbit believes, will help users manage their conditions.”
  - Read more: <https://www.sfchronicle.com/business/article/Amid-revenue-decline-Fitbit-introduces-health-13239767.php>
  
- **Study: Opioid abuse down slightly in 2017, still at high levels.** “The number of people abusing opioids in the U.S. dropped slightly in 2017 compared to the previous year, though remains at high levels, according to a new survey. The Department of Health and Human Services (HHS) said in data released Friday that 11.4 million people abused opioids in 2017, compared to 11.8 million in 2016 and 12.7 million in 2015. Of the people who abused opioids last year, the vast majority – 11.1 million, or 97 percent – used prescription pain killers, with Hydrocodone and Oxycodone being the most commonly abused, according to HHS' National Survey on Drug Use and Health. Nearly 1 million people used heroin, while half a million used both prescription opioids and heroin.”
  - Read more: <https://thehill.com/policy/healthcare/406758-study-opioid-abuse-down-slightly-in-2017-still-at-high-levels>

- ***Walmart wants to bring its 'everyday low prices' to health care.*** "The retail behemoth, which markets itself as the leader in "Everyday Low Prices," is beefing up its presence in the health care sector. It inked a deal last month with Anthem, one of the nation's largest insurers, to entice more Medicare enrollees to buy over-the-counter medications and health supplies at its stores. It recently tapped former Humana executive Sean Slovenski to lead its health and wellness division. And it was reportedly looking to buy PillPack before Amazon purchased the online pharmacy in June."
  - Read more: <https://money.cnn.com/2018/09/19/news/companies/walmart-health-care>
- ***4 organ recipients got cancer from 1 donor in a rare and "extraordinary" case.*** "In an 'extraordinary' case, multiple patients in Europe developed cancer after receiving organs from a woman with breast cancer whose malignancy was missed by multiple pre-transplant tests. The patients developed cancer years after their transplant surgeries, and three out of the four ended up dying, according to a case report published in the American Journal of Transplantation. Although previous reports have shown that cancer cells can be transmitted during an organ transplant, the authors point out that this is the first time this has happened in four patients who received organs from the same person. The report highlights the potentially life-threatening consequences of donor-derived malignancies. The authors note that doctors can help treat patients by removing the transplanted organ – if possible – and stopping immunosuppression drugs, which prevent rejection."
  - Read more: <https://www.buzzfeednews.com/article/carolinekee/cancer-donor-organ-transplant-recipient>