

HALL RENDER'S THIS WEEK IN WASHINGTON - FEBRUARY 23, 2018

PROPOSED RULE RELEASED FOR SHORT-TERM HEALTH INSURANCE PLANS

On February 20, the Department of Health and Human Services issued a **proposed rule** to extend the availability of a lower cost, more narrowly tailored form of insurance called short-term limited duration health insurance plans. This would allow consumers to buy short-term health plans of up to 364-days duration by eliminating the current less-than-three-month limit on short-term insurance plans. The short-term plans are not required to comply with federal requirements imposed by the Affordable Care Act, such as essential health benefits coverage. The plans are cheaper but offer fewer benefits and provide no coverage of pre-existing medical conditions.

For this proposed rule, comments can be submitted until April 23, 2018. Commenters should use the file code CMS-9924-P when commenting and can submit comments electronically at www.regulations.gov, by regular mail or by hand or courier service.

HOUSE ENERGY AND COMMERCE COMMITTEE TO HOLD HEARINGS ON OPIOID LEGISLATION

The House Energy and Commerce Committee will begin a series of legislative hearings next week as the first step towards passing bipartisan bills intended to tackle the opioid crisis. Two additional hearings will be held in March to help achieve the goal of pushing the bills through the House by the end of May. On Wednesday, the House Energy and Commerce Health Subcommittee will **review** eight opioid-related bills focused on balancing enforcement with patient safety. This includes bills to allow easier prescription of controlled substances via telemedicine and a bill that ensures doctors can get details of a patient's past substance abuse history, if consent is given. Additionally, the Subcommittee will consider the Ensuring Patient Access to Substance Use Disorder Treatment Act of 2018, which will make changes to federal law to improve dispensing implantable and injectable therapies. It will also discuss requiring providers to have twelve hours of continuing medical education every three years on early detection of opioid addiction and management of opioid-dependent patients.

CMS REJECTS HOSPITAL INDUSTRY'S REQUEST TO EXTEND BUNDLED PAYMENT DEADLINE

CMS officials decided against a delay in the application deadline for the bundled payment demonstration program despite an industry push to do so. CMS announced Bundled Payments for Care Improvement Advanced in January for episodes of care that span inpatient and outpatient services. The American Hospital Association, along with other hospital groups, argued that CMS should delay the application deadline because there is a lack of sufficient detail about the model. As a result, the groups argue, it is difficult for hospitals and clinicians to make a well-informed decision to participate. At a public meeting on February 15, CMS said providers who need more time to decide may apply at the next opportunity in 2020.

HEALTH-RELATED BILLS INTRODUCED THIS WEEK

No health care-related bills were introduced this week as Congress was out of session.

NEXT WEEK IN WASHINGTON

Congress returns on February 27 for the first of six consecutive weeks where the House or Senate will be in session, the longest stretch on the 2018 legislative calendar. On Tuesday, the Senate HELP Committee will hold a **hearing** on technology and opioids. Also on Tuesday, the House Judiciary subcommittee will hold a **hearing** on the CVS Health-Aetna merger. The House Oversight Health Care Subcommittee holds a hearing on the Affordable Care Act on Tuesday.

On Wednesday, the House Energy and Commerce Health Subcommittee will hold a hearing on enforcement and patient safety during the opioid crisis. The Senate HELP Committee will markup several bills on Wednesday, including the State Offices of Rural Health Reauthorization Act of 2018 (S. 2278) that was drafted by Hall Render and the National Organization of State Offices of Rural Health.

THIS WEEK IN WASHINGTON IN HISTORY

1902: 116 years ago this week, a fistfight breaks out on the Senate floor between South Carolina senators John McLaurin and Ben Tillman. McLaurin accuses the state's senior senator, Tillman, of a "willful, malicious and deliberate lie." Tillman responds by punching McLaurin in the jaw: fists fly and noses bleed. Both Senators are censured. Six days later, the Senate adopts a provision that survives today as part of Rule XIX: "No senator in debate shall, directly or indirectly, by any form of words impute to another senator...any conduct unworthy or unbecoming a senator."

1801: 217 years ago this week, despite a crippling DC snowstorm, the House of Representatives completes a series of 36 votes to break an electoral college tie and choose Thomas Jefferson over Aaron Burr as President of the United States.

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