

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

MAJOR SPENDING BILL PASSES CONGRESS

Congress passed a major \$1.3 trillion spending bill this week, which keeps the government funded through September. The bill passed the House 256-167 and the Senate 65-32. In both bodies, the measure received the support of a majority of members from each party. In the Senate, unanimous consent was needed from all senators to waive procedural rules and set up votes before Friday's midnight deadline.

The bill includes a total of \$78 billion (\$10 billion above FY 2017) for the Department of Health and Human Services. Within the HHS funding, the Centers for Medicare & Medicaid Services ("CMS") received \$4 billion in funding for administrative expenses, the Health Resources and Services Administration received \$7 billion and the Substance Abuse and Mental Health Administration received \$5 billion. The National Institutes of Health received a \$3 billion boost in funding, bringing its total budget to more than \$37 billion. The legislation includes nearly \$4 billion in resources to combat the opioid crisis through investing in treatment, prevention and law enforcement efforts. More than \$2.3 billion in funding is provided for mental health programs and other training. Rural communities will see a \$135 million increase in health care program funding, including \$100 million for drug addiction treatment and prevention.

Two provisions that were not included in the bill are stabilization of the ACA's health insurance markets and providing coverage for patients with high medical costs. The first measure, known as the Alexander-Murray provision, would have reinstated government subsidies paid to health insurers. The second would have provided funding to help states set up high-risk insurance pools to provide coverage for people with high medical costs. Though the ACA stabilization proposal had already been negotiated on a bipartisan basis, Republicans wanted to include language that would ban federal funds from being used for abortions, which Democrats said was a non-starter.

HOUSE ENERGY AND COMMERCE COMMITTEE REVIEWS SOLUTIONS TO COMBAT THE OPIOID CRISIS

The House Energy and Commerce Health Subcommittee wrapped up a two-day hearing examining 25 bipartisan bills addressing the opioid crisis. The legislation focused on prevention and public health solutions. Energy and Commerce Chairman Greg Walden (R-OR) stated "The unprecedented plague of opioid addiction and substance use disorder in our country requires an unprecedented response." Legislation reviewed included **Jessie's Law**, introduced by Reps. Tim Walberg (R-MI) and Debbie Dingell (D-MI), which would help ensure doctors have access to a consenting patient's prior history of addiction in order to make fully informed care and treatment decisions.

The Poison Center Network Enhancement Act of 2018 (**H.R. 5329**), authored by Reps. Susan Brooks (R-IN) and Eliot Engel (D-NY), was discussed to reauthorize the important network of centers within the National Poison Data System that offer free, confidential, expert medical advice 24 hours a day, seven days a week. Oftentimes these programs serve as the primary resource for poisoning information and help reduce emergency room visits. Lawmakers also spent a lot of time debating legislation known as the Overdose Prevention and Patient Safety Act (**H.R. 3545**) introduced by Reps. Markwayne Mullin (R-OK) and Earl Blumenauer (D-OR). That measure would modernize substance use disorder treatment records to permit records to be shared in accordance with the Health Insurance Portability and Accountability Act for the purposes of treatment. It would also increase penalties in the event of disclosure, add breach notification requirements and provide discrimination prohibitions.

HOUSE WAYS AND MEANS COMMITTEE HOLDS MACRA HEARING

The House Ways and Means Health Subcommittee held a hearing on implementing the Medicare Access and CHIP Reauthorization Act ("MACRA") of 2015, which featured witnesses from CMS. Demetrios Kouzoukas, Principal Deputy Administrator and Director of the Center for Medicare, testified that the full promise of MACRA has not been realized as too few physicians and clinicians are participating in alternative payment models, and far too many clinicians find the law's reporting requirements too burdensome. He laid out a plan to move forward on four areas of emphasis: "giving consumers greater control over health information through interoperable and accessible health information technology; encouraging transparency from payers and providers; using experimental models in Medicare and Medicaid to help patients drive value and quality throughout the entire system; and removing government burdens that impede this transformation."

Providers and industry stakeholders have urged Congress to improve fairness and reduce burdens under the program. In the hearing, Kouzoukas urged stakeholders to work with CMS to increase innovation and submit promising ideas to the Innovation Center.

HEALTH-RELATED BILLS INTRODUCED THIS WEEK

Rep. Gene Green (D-TX) introduced **H.R. 5385** to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs. Sen. Robert Casey Jr. (D-PA) also introduced **S.2597** for this purpose.

Sen. Debbie Stabenow (D-MI) introduced **S. 2613** to amend Title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

Sen. Shelley Moore Capito (R-WV) introduced **S. 2610** to require the Secretary of Health and Human Services to provide coordinated care to patients who have experienced a non-fatal overdose after emergency department discharge.

NEXT WEEK IN WASHINGTON

It'll be quiet in Washington as Congress is out for a two-week district work period. This Week in Washington will return when lawmakers resume their work but will publish should new health care developments occur.

THIS WEEK IN WASHINGTON IN HISTORY

2003: 15 years ago this week, President George W. Bush addresses the nation and declares war with Iraq. During the address, Bush promises Iraq leader Saddam Hussein will be gone.

1933: 85 years ago this week, President Franklin D. Roosevelt signs the Beer and Wine Revenue Act into law. The law levies a federal tax on all alcoholic beverages. The law was followed by passage of the 21st Amendment, which officially ends prohibition.

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