

## HALL RENDER'S THIS WEEK IN WASHINGTON - SEPTEMBER 21, 2018

### HOSPITALS RELEASE VOLUNTARY 340B PRINCIPLES AS ALTERNATIVE TO LEGISLATION

The battle over 340B continued this week as hospital groups announced a new voluntary 340B reporting program as an alternative to congressional legislation that would further regulate the program.

Under the American Hospital Association-led [initiative](#), hospitals would commit to publicly disclosing their 340B savings annually. Hospitals would also detail how 340B savings would benefit their communities. In exchange for adopting these measures, hospitals are asking Congress to refrain from passing 340B legislation that was introduced earlier this year in the House and Senate.

Drug makers and a number of lawmakers still believe legislation is necessary and will push for it next year. House Energy and Commerce Health Subcommittee Chairman Michael Burgess (R-TX) has called on stakeholders to work together to find long-term solutions.

### CMS ISSUES PROPOSED RULE TO ELIMINATE UNNECESSARY MEDICARE REGULATIONS

On September 17, CMS issued a proposed rule that seeks to reform Medicare regulations identified as "unnecessary, obsolete, or excessively burdensome" on health care providers and suppliers. CMS developed the proposed rule in response to the administration's directive to federal agencies to "cut the red tape" and reduce burdensome regulations.

Many of the proposals simplify and streamline Medicare's conditions of participation, conditions for coverage and other requirements for participation for facilities so they can meet health and safety standards more efficiently.

Comments on the proposed rule must be received no later than 60 days after the rule is published in the Federal Register. Comments can be submitted [here](#).

### SENATE BILL INTRODUCED TO LOWER WASTEFUL HEALTH CARE COSTS

On September 17, Sens. Bill Cassidy (R-LA) and Tina Smith (D-MN) introduced a [bill](#) intended to address surprise medical billing. The Reducing Administrative Costs and Burdens in Health Care Act (S. 3434) looks to prevent surprise bills from an emergency care provider, a facility not in a patient's insurance network or an out-of-network facility.

The legislation provides \$200 million in grant funding for at least 15 states to convene public-private commissions to provide recommendations to curb administrative costs in areas including hospital credentialing and exchange of data and compliance measures. The bill would also provide \$50 million in grant funding to accelerate adoption of electronic transactions, provide education and training and test and evaluate new models.

The bill was discussed this week during a Senate Health, Education Labor and Pensions Committee [hearing](#) on health care transparency. While the bill is unlikely to advance this late in the 115th Congress, interest exists in both the House and Senate to advance medical billing and pricing transparency legislation next year. Senator Cassidy currently heads up a pricing-transparency working group to address these issues.

### HEALTH-RELATED BILLS INTRODUCED THIS WEEK

Sen. James Inhofe (R-OK) introduced [S. 3465](#) to amend Title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program.

Sen. Rob Portman (R-OH) introduced [S. 3462](#) to amend Title XIX of the Social Security Act to provide states with the option to provide medical assistance for substance use disorder treatment services to individuals between the ages of 21 and 64 with substance use disorders.

Sen. John Kennedy (R-LA) introduced [S. 3458](#) to amend Title XVIII of the Social Security Act to improve home health payment reforms under the Medicare program.

Rep. Gus Bilirakis (R-FL) introduced [H.R. 6836](#) to amend Title XIX of the Social Security Act to promote access to life-saving therapies for

Medicaid enrollees by ensuring coverage of routine patient costs for items and services furnished in connection with participation in qualifying clinical trials.

## NEXT WEEK IN WASHINGTON

Both the House and Senate return for what is scheduled to be a three-week stretch of work leading up to the November election. However, if lawmakers are able to complete their work to pass legislation funding the government before the current September 30 deadline, it is anticipated that the House will recess for the whole month of October. Next week, the House is poised to complete voting on the conference report for the fiscal year 2019 Defense and Labor-HHS spending bill (H.R. 6157). The Senate approved the spending measure on Tuesday by a 93-7 vote.

The House and Senate will continue discussions on reconciling differences in the opioid reform legislation (H.R. 6), which the Senate passed earlier this week. Two of the more controversial provisions concern allowing addiction patients' medical records to be more easily shared and whether to partially repeal the IMD exclusion. A final deal could be released as early as next week.

On Tuesday, the Senate HELP Committee will hold a **hearing** examining health care in rural America. On Thursday, the Senate HELP Committee will hold its second hearing on reducing health care costs.

## THIS WEEK IN WASHINGTON HISTORY

**1949, 69 years ago this week:** On September 23, 1949, President Truman delivers a brief statement to the media that the U.S. has evidence of the Soviet Union detonating a nuclear bomb. At the time, the U.S. had been unaware of the scope of Russian spy efforts into the U.S. nuclear program. The Russians had secretly obtained precise information and blueprints on the program, allowing the development of a nuclear weapon years ahead of U.S. estimates.

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