

HALL RENDER'S THIS WEEK IN WASHINGTON - NOVEMBER 22, 2019

PASSAGE OF TEMPORARY FUNDING BILL ENDS POTENTIAL SHUTDOWN

Just hours before the previous short-term agreement was set to expire on November 21, President Trump signed a bill funding the government through December 20. This measure gives Congress four additional weeks to reach a consensus on how to fund the government in FY 2020. The continuing resolution ([H.R. 3055](#)) was passed by the House on Tuesday and cleared the Senate on Thursday afternoon. While congressional appropriators are hoping to avoid a series of temporary spending bills and fully fund the government by December 20, they haven't ruled out the need to pass additional bills lasting into early spring or even next September.

The bill passed this week contains funding extensions for many health care programs, including community health centers; teaching health centers that operate graduate medical education programs; and extending the community mental health services demonstration program. It also delays again the nearly \$4 billion in Medicaid Disproportionate Share Hospital cuts.

HOUSE PASSES WORKPLACE VIOLENCE FOR HEALTH CARE EMPLOYEES MEASURE

On Thursday, the House passed the Workplace Violence Prevention for Health Care and Social Service Workers Act ([H.R. 1309](#)). The bill, authored by Rep. Joe Courtney (D-CT), would mandate the Department of Labor to create an OSHA standard for health care facilities on workplace violence. The bill would require hospitals to develop workplace violence prevention plans that address the risks specific to individual facilities and protect employees from violent incidents with patients, clients and other outsiders. Basically, this measure would require OSHA to adopt California's health care workplace violence standards as the national standard. The bill is written broadly and would most likely require a significant increase in recordkeeping, training and education to employees.

The Senate counterpart ([S. 851](#)) was introduced by Senator Tammy Baldwin (D-WI) and has 29 Democrats co-sponsoring the measure. With no Republican support, it is very unlikely the Senate will support new OSHA requirements for employers this Congress. Chairman Alexander wants to get surprise billing and a higher education bill passed before he retires next year and this issue is not one of his priorities. The White House [released a Statement of Administration Policy](#) on the House bill on Tuesday that clearly indicates the President would veto the measure in its current form. The Administration does not believe California's standard should become the national standard on the ground that it isn't economically feasible, and the timeline for administering the rules is too rushed. OSHA is also convening a panel to address this issue.

REVISED PRESCRIPTION DRUG BILL COMING IN DECEMBER

Senate Finance Committee leadership Sens. Chuck Grassley (R-IA) and Ron Wyden (D-OR) said this week that they are releasing an updated drug pricing legislative package in early December. The new proposals in the revised package include a provision that would cap how much drug manufacturers could increase the prices of medications in the Medicare program, as well as others seeking to reduce consumers' out-of-pocket costs. A section-by-section of the current prescription drug pricing plan can be found [here](#). Since it is unlikely the House plan backed by Speaker Pelosi would have the 60 votes needed to pass the Senate and President Trump has already signaled support for the Senate plan, this is the most likely piece of drug pricing legislation to become law this session of Congress. However, lawmakers and their staff are still expressing hope they'll be able to pass some bipartisan drug pricing reforms in any broader government funding bill Congress must pass by December 20.

HEALTH-RELATED BILLS INTRODUCED THIS WEEK

Rep. Katie Porter (D-CA) introduced [H.R. 5204](#) to direct the Secretary of Education to study student mental health at institutions of higher education and to issue guidance on compliance with the Americans with Disabilities Act for mental health and substance use disorder policies of institutions of higher education.

Rep. Doris Matsui (D-CA) introduced [H.R. 5201](#) to amend Title XVIII of the Social Security Act to provide coverage under the Medicare program of certain mental health telehealth services.

Rep. Bill Pascrell (D-NJ) introduced [H.R. 5246](#) to direct the Secretary of Health and Human Services to carry out a Health in All Policies Demonstration Project.

Rep. David McKinley introduced [H.R. 5242](#) to amend Title XIX of the Social Security Act to prohibit the Secretary of Health and Human Services from treating any Medicaid-related funds recovered from one or more pharmaceutical companies or drug distributors with respect to opioid litigation as an overpayment under such title.

Rep. Dan Bishop (R-NC) introduced [H.R. 5224](#) to codify certain rules related to health reimbursement arrangements and other account-based group health plans.

Rep. Jodey Arrington (R-TX) introduced [H.R. 5212](#) to amend Title XVIII of the Social Security Act to improve the benchmarking process for the Medicare Shared Savings Program.

Sen. Richard Blumenthal (D-CT) introduced [S. 2943](#) to amend Titles XVIII and XIX of the Social Security Act to revise minimum nurse staffing requirements for skilled nursing facilities under the Medicare program and for nursing facilities under the Medicaid program

Rep. Ben Ray Lujan (D-NM) introduced [H.R. 5199](#) to amend the Public Health Service Act to expand the capacity to improve health outcomes and increase access to specialized care.

NEXT WEEK IN WASHINGTON

Congress goes on recess next week for Thanksgiving Break. *This Week in Washington* will not publish next week due to the Thanksgiving holiday but will publish if any health care developments occur.

We are very thankful for our readers! We hope everyone has a wonderful Thanksgiving.

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