



## Health Policy Briefing

April 24, 2017

### AHCA Negotiations Continue

The centrist House Tuesday Group and the conservative House Freedom Caucus have spent April recess attempting to reach an agreement in order to garner enough support for the passage of the American Health Care Act (AHCA). The latest development comes from Tuesday Group leader Tom MacArthur (R-N.J.), who has proposed an **amendment** to the legislation meant to achieve a consensus between the two factions of the Republican Party. While states would still have the ability to opt out of some federal insurance standards, Rep. MacArthur proposes that states would have to attest that their purpose in waiving these insurance regulations is to reduce the cost of health care or to increase the number of people with health coverage. States would also be required to offer high-risk pool coverage or participate in the federal pool. According to White House officials, the Administration is targeting Wednesday of this week for a vote on the Republican health care plan. There has been no agreement yet, however, on revised legislative language, which makes a vote this week less likely.

### *Lawmakers Debate Subsidies in Funding Measure*

Congress has until midnight Friday, April 28 to negotiate and pass a spending bill to fund the federal government and avoid a partial government shutdown. The White House is currently negotiating with Democrats, offering them funding for the Obamacare cost-sharing reductions in exchange for payment for the President's border wall. Cost-sharing reduction payments offset the cost of low-income enrollees for insurers. Democratic leadership has shot down this idea. They are demanding that the Obamacare payments be included in the bill, but consider the inclusion of any money for the border wall a poison pill. Without appropriations, the \$9 billion in annual insurance subsidy payments will end in May. The Senate will need at least eight Democrats to vote in favor of the spending bill in order for it to pass.

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### ***White House Dismisses Surgeon General***

The President asked the U.S. Surgeon General Vivek Murthy, appointed by former President Obama, to resign. On Friday, Rear Adm. Sylvia Trent-Adams, who previously served as deputy Surgeon General, was named Acting Surgeon General. Trent-Adams is a former nurse officer in the Army and has also served as a research nurse at the University of Maryland. She joined the Commissioned Corps of the Public Health Service in 1992 and served as the deputy associate administrator for the HIV/AIDS bureau of the Health Resources and Services Administration (HRSA) before joining the surgeon general's office. Dr. Murthy had served as surgeon general since 2014. During this time, he released the office's first comprehensive report on addiction in America.

### ***Policymakers Inquire About Status of Influenza Plan***

Lawmakers have **written** to the U.S. Department of Health and Human Services (HHS) requesting information about the status of the department's Pandemic Influenza Plan. Energy and Commerce Committee Chairman Greg Walden (R-Ore.) and Oversight and Investigations Subcommittee Chairman Tim Murphy (R-Pa.) penned the letter stressing the need for the updated Pandemic Influenza Plan, which was slated to be released late last year. The World Health Organization (WHO) estimates that the H7N9 avian influenza virus that emerged in 2013 has caused 918 laboratory-confirmed human infections, and 359 deaths.

### ***GAO Releases Report on Medicaid Fraud***

A recently released Government Accountability Office (GAO) **report** recommends that the Centers for Medicare and Medicaid Services (CMS) needs to more closely collaborate with states in order to reduce Medicaid fraud. The report finds that the agency lacks a systematic approach to collecting and communicating information about state practices. The GAO has designated Medicaid as high risk for fraud, abuse, and mismanagement for the last 14 years.

### ***Administration Continues Focus on Opioid Epidemic***

The U.S. Department of Health and Human Services (HHS) announced last week that the first round of grants to assist states and territories in combating the opioid epidemic will be released. The grants to all 50 states will total \$485 million, and will be administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). The grants are a product of the 21st Century Cures Act, and will be used to prevent opioid abuse and provide treatment to those affected by addiction. Also last week, the Centers for Disease Control and Prevention (CDC) announced plans to launch an ad campaign to raise awareness about the danger of opioid addiction. The goal of the campaign is to make doctors and patients more knowledgeable about the opioid crisis, and to help them understand the risks associated with opioids so they can be discussed before any problems arise. At the Food and Drug Administration (FDA), the agency announced that it will convene stakeholders for a public workshop in May on how to best train health care professionals about pain management and the safe prescribing of opioids. The Drug Enforcement Administration (DEA), the Department of Veterans Affairs (VA), the CDC, the Department of Defense (DoD), the Centers for Medicare and Medicaid Services (CMS), the National Institute on Drug Abuse, SAMHSA, and the Indian Health Service (IHS) will also participate in the workshop.

### ***HELP Schedules Vote on Gottlieb Nomination***

The Senate Health, Education, Labor, and Pensions (HELP) Committee will vote on the nomination of Scott Gottlieb, MD to be the Commissioner of Food and Drugs on Wednesday at 9:30 a.m. in 430 Dirksen Building. The Committee will also vote on four health-related bills at this time: S. 652, Early Hearing Detection and Intervention Act of 2017; H.R. 309, National Clinical Care Commission Act; S. 849, Strengthening Mosquito Abatement for Safety and Health (SMASH) Act; and the Protecting Patient Access to Emergency Medications Act of 2017.

**Upcoming Congressional Hearings/Meetings**

*Senate Health, Education, Labor and Pensions (HELP) Committee Executive Session on S. 652, H.R. 309, S. \_\_\_\_, Protecting Patient Access to Emergency Medications Act of 2017. S. 849, and the Nomination of Scott Gottlieb to serve as the Commissioner of Food and Drug;” 9:30 a.m., 430 Dirksen Bldg.; April 26*

*House Armed Services Military Personnel Subcommittee hearing on “Post-Traumatic Stress Disorder/Traumatic Brain Injury;” 2:00 p.m., 2118 Rayburn Bldg.; April 27*