

Zika Update



Health Policy Briefing

June 6, 2016

Senate Majority Leader Harry Reid (D-Nev.) has said that Democrats will attempt to force a vote on the administration's request for emergency funding to combat the Zika virus when the chamber returns from its Memorial Day recess this week. While the Senate has already approved a \$1.1 billion funding package, Reid wants to force Republicans to vote against the White House's request for \$1.9 billion in funding. Surgeon General Vivek Murthy has warned that federal health agencies are soon going to run out of funding reserves to address the outbreak of the virus, likely at a time coinciding closely with the start of mosquito season in the United States. Without final congressional approval of emergency federal assistance, the Centers for Disease Control and Prevention (CDC) will be forced to eliminate emergency public health funding from as many as 62 health districts starting in July. For many local health departments, this would mean staff cuts or hiring freezes. In an effort to inform Medicaid agencies about how Medicaid services and authorities can help states and territories prevent, detect, and respond to the Zika virus, the Centers for Medicaid and CHIP Services (CMCS) issued an **informational bulletin** last week outlining the program flexibilities available to help provide critical services to Medicaid beneficiaries. Medicaid programs can choose to cover mosquito repellents, family planning services and contraception, diagnostic services, targeted case management services, physical therapy for Zika related disabilities, prescription drugs for the management of Zika symptoms, as well as long-term services and supports for children born with microcephaly or individuals recovering from Guillain-Barré Syndrome. The Zika outbreak is proving particularly complicated for providers in Puerto Rico, where the territory's financial problems are affecting its Medicaid program. The nonprofit CDC Foundation is working to find a way to reimburse physicians for the Zika-related care they are providing. Meanwhile, the World Health Organization (WHO) has rejected a push from some public health experts to move the Olympic Games in Brazil this summer due to the outbreak of the Zika virus. While WHO has said that pregnant women and travelers should take appropriate precautions and public health travel advice, the organization does not believe that the Olympics will significantly impact the spread of the virus because the Games will coincide with Brazil's winter weather. The Olympics are scheduled to start on August 5.

Inside

- Lawmakers Introduce NDAA Amendment to Support New Antibiotic Development.....2
- ONC Holds Annual Meeting in Washington, D.C.....2
- Lawmakers Request Raising of Buprenorphine Cap.....2
- New Members Appointed to MedPAC.....2
- Upcoming Congressional Meetings and Hearings.....3

Lawmakers Introduce NDAA Amendment to Support New Antibiotic Development

Sen. Michael Bennet (D-Colo.) and Sen. Orrin Hatch (R-Utah) announced that they will introduce the Promise for Antibiotics and Therapeutics for Health (PATH) Act as an amendment to the National Defense Authorization Act (NDAA) for fiscal year (FY) 2017. The bipartisan legislation encourages innovation in antibiotic research and development through the elimination of regulatory obstacles and the creation of a new drug approval pathway. The Food and Drug Administration (FDA) would be allowed to approve an antibacterial drug for a limited patient population if the drug treats a serious condition and addresses an unmet need. The amendment would also call for the implementation of stewardship programs and better surveillance to monitor the threat of antibiotic resistance. The announcement follows Defense Department researchers' discovery of E.coli bacteria carrying the MCR-1 gene, which makes it resistant to an antibiotic of last resort known as colistin, in a Pennsylvania woman last week. Sens. Bennet and Hatch stressed that these superbugs are of particular concern to members of the military serving overseas. The PATH Act is supported by the National Military and Veterans Alliance, and many physician, patient, and public health organizations.

ONC Holds Annual Meeting in Washington, D.C.

The Office of the National Coordinator for Health IT (ONC) held its annual meeting in Washington, D.C. last week. During the meeting, former Secretary of the U.S. Department of Health and Human Services (HHS) Kathleen Sebelius lauded the Centers for Medicare and Medicaid Services (CMS) for outpacing the private sector over the past five years on health care delivery and payment reform. The meeting convened stakeholders across the public and private sectors to participate in sessions on patient engagement, precision medicine, interoperability, cybersecurity, telehealth, and many other issues.

Lawmakers Request Raising of Buprenorphine Cap

Twenty-two bipartisan senators have **written** to U.S. Department of Health and Human Services (HHS) Secretary Sylvia Burwell requesting that HHS raise the cap on the number of patients a provider can treat with medication assisted therapy (MAT) for opioid abuse and addiction. "The current 100 patient cap is one of several factors that have created a huge disparity between those who can prescribe opioids for treatment of pain and those who can prescribe treatments for opioid use disorders," the senators write. The lawmakers urge HHS to increase the number of patients doctors can treat with buprenorphine from 100 to 500, in line with the Recovery Enhancement for Addiction Treatment (TREAT) Act (S. 1455), advanced by the Senate Health, Education, Labor and Pensions (HELP) Committee last month.

New Members Appointed to MedPAC

The Government Accountability Office (GAO) announced last week that five new members have been appointed to the Medicare Payment Advisory Commission (MedPAC), including Amy Bricker of Express Scripts, Brian DeBusk of DeRoyal Industries, Paul Ginsburg of the Brookings Institution and the University of Southern California, Bruce Pyenson of Milliman, and Pat Wang of Healthfirst. Their terms will expire in April 2019. Jon Christianson of the University of Minnesota was re-appointed and will continue to serve as Vice Chair of the Commission.

Upcoming Congressional Meetings and Hearings

Senate Appropriations Labor, Health and Human Services, Education and Related Agencies Subcommittee markup of the “Labor, Health and Human Services, Education, and Related Agencies Appropriations Act for FY2017;” 10:30 a.m., 138 Dirksen Bldg.; June 7

House Energy and Commerce Health Subcommittee markup of H.R.3299, the “Strengthening Public Health Emergency Response Act of 2015;” and H.R.921, the “Sports Medicine Licensure Clarity Act of 2015;” 5:00 p.m., 2123 Rayburn Bldg.; June 7 (opening statements only) and 2:00 p.m., 2123 Rayburn Bldg.; June 8

Senate Finance Committee open executive session to consider the nominations of Charles P. Blahous III, and Robert D Reischauer for the Social Security and Medicare Boards of Trustees; 10:00 a.m.; June 8

Senate Appropriations Military Construction and Veterans Affairs, and Related Agencies Subcommittee hearing to examine a review of the Dept. of Veterans Affairs’ electronic health record (VistA), progress toward interoperability with the Department of Defense’s electronic health record, and plans for the future; 10:30 a.m., 124 Dirksen Bldg.; June 8

House Ways and Means Health Subcommittee hearing titled “Legislation to Improve and Sustain the Medicare Program;” 2:00 p.m., 1100 Longworth Bldg.; June 8

Senate Appropriations Committee markup of the “Labor, Health and Human Services, Education, and Related Agencies Appropriations Act for FY2017;” 10:30 a.m., 106 Dirksen Bldg.; June 9

House Energy and Commerce Health Subcommittee hearing on “Advancing Patient Solutions for Lower Costs and Better Care,” including legislation to amend title XXVII of the Public Health Service Act to change the permissible age variation in health insurance premium rates; legislation to amend the Patient Protection and Affordable Care Act to better align the grace period required for non-payment of premiums before discontinuing coverage under qualified health plans with such grace periods provided for under State law; legislation to amend title I of the Patient Protection and Affordable Care Act to require verification for eligibility for enrollment during special enrollment periods in PPACA insurance plans; H.R.3463, the “Aligning Children’s Dental Coverage Act”; and “H.R.4262, the “Transparency and Accountability of Failed Exchanges Act;” 9:15 a.m., 2322 Rayburn Bldg.; June 10