



Health Policy Briefing

November 28, 2016

House to Vote on Updated 21st Century Cures Wednesday

Last week, House and Senate health committee leadership released a new 21st Century Cures bill that includes \$6.3 billion in provisions to accelerate the discovery, development, and delivery of new cures and treatments. The package outlines discretionary funding for both the National Institutes of Health (NIH) and the Food and Drug Administration (FDA). The bill calls for \$4.8 billion over the next decade to be appropriated to the NIH, including \$1.4 billion for the Precision Medicine Initiative, \$1.8 billion for the Cancer Moonshot, and \$1.6 billion for the Brain Research through Advancing Innovative Neurotechnologies (BRAIN) Initiative. The FDA would receive \$500 million in funding. An additional \$1 billion is included for state grants to combat opioid abuse and addiction, and \$30 million in funding would be provided for adult stem cell research. The new spending will be offset in part through \$3.5 billion in cuts to the Affordable Care Act's (ACA) Prevention and Public Health Fund. The 21st Century Cures bill will also be used as a vehicle for mental health reform measures, based off Rep. Tim Murphy's (R-Pa.) H.R. 2646, the Helping Families in Mental Health Crisis Act, as well as work done in the Senate by Chris Murphy (D-Conn.) and Bill Cassidy (R-La.). The bill will create a new assistant secretary for mental health within the U.S. Department of Health and Human Services (HHS), as well as a chief medical officer. Cures will also authorize grants for mental health issues like suicide prevention, as well as funding for mental illness treatment as an alternative to incarceration. While the House passed a version of Cures last year with overwhelming bipartisan support, further progress on the bill stalled due to negotiations over spending. The House will vote on the new package on November 30, with the Senate expected to take up the measure before Congress adjourns for the year. A section by section summary of the bill can be found [here](#).

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President-Elect Trump Outlines Day One Priorities

President-Elect Donald Trump released a new video in which he lists the top actions he will immediately take upon entering office. First on the agenda is the issuance of a notification of intent to withdraw from the Trans-Pacific Partnership (TPP) trade agreement. Noticeably absent from Trump's message was any mention of repealing the Affordable Care Act (ACA). Both congressional GOP leadership and Vice President-Elect Mike Pence have repeatedly stated that repeal of the 2010 health care law is a day one priority.

Budget Chairman To Release Process Overhaul Proposal

Chairman of the House Budget Committee Tom Price (R-Ga.) will unveil proposed revisions to the federal budgetary process during an event at the Brookings Institution on November 30. Price's discussion draft is meant to guide future legislative efforts to rewrite the process by which appropriations bills are developed. Majority Staff for the Committee confirmed that Price's proposal aims to reassert congressional authority over the budget, strengthen budget authority, increase transparency in the appropriations process, better control automatic spending, and counter bias toward consistently increased spending. Senate Budget Committee Chairman Mike Enzi (R-Wyo.) is also expected to release more details about his plans for budget process reform during the next Congress in the coming weeks.

Democratic Leadership Asks CMS Not to Finalize Part B Proposal

Incoming Senate Minority Leader Chuck Schumer (D-N.Y.) and current House Minority Leader Nancy Pelosi (D-Calif.) have written to the administration requesting that they refrain from finalizing the proposed Medicare Part B drug demonstration. Should the White House decide to finalize the rule as a symbolic measure aimed at reducing drug prices, Congress or the Trump Administration would almost certainly decide to block its implementation or undo the regulation altogether.

President's Overtime Rule Blocked by Federal Judge

A federal judge in Texas has issued a temporary injunction halting the Labor Department's overtime rule nationwide. The rule would double the salary threshold under which workers receive time-and-a-half pay when they work more than 40 hours per week. The rule was previously scheduled to take effect on December 1. The Administration has estimated that the rule could affect as many as 200,000 hospital employees and 300,000 non-hospital health care providers. While the appeals process may continue until after the inauguration of President-Elect Trump, the new administration could instead move to reverse the regulation.

Pelosi Proposes Changes to House Democratic Leadership Structure

House Minority Leader Nancy Pelosi (D-Calif.) has outlined a set of proposals aimed at expanding and diversifying leadership of the Democratic Caucus. In a letter to her colleagues, Pelosi proposes to make the chairman of Democratic Policy and Communications an elected position that must be filled by a member who has served less than five terms. She would also revise the Policy and Communications leadership to be comprised of the chairman, along with three elected co-chairs. Once vacant, Pelosi proposes that the elected position of Assistant Leader would be opened up only to members who have served fewer than three terms. Pelosi also outlines the creation of five regional vice chairs on the Democratic Congressional Campaign Committee, elected by members of each region. Finally, Pelosi suggests the creation of a vice ranking member position on Congressional committees (or vice-chair, should Democrats regain the majority), that would be filled by members having served on each Committee for four terms or less. House Democrats would need to vote on her proposals. Pelosi is currently being challenged for the Minority Leader position by Rep. Tim Ryan (D-Ohio). House Democratic leadership elections will be held on November 30.

Trump Administration Staff Announcements

President-Elect Donald Trump named two more members of his Administration last week. South Carolina Governor Nikki Haley was asked to serve as Trump's next ambassador to the United Nations. Haley, the daughter of Indian immigrants, was elected as Governor in 2011. She is the youngest current governor in the United States. She previously served in the South Carolina House of Representatives. Betsy DeVos has been tapped for the position of Secretary of Education. DeVos is a Michigan Republican activist and philanthropist. She is the former chairwoman of the Michigan Republican Party, and is currently the chairman of The Windquest Group, a Michigan-based investment management company. Both roles are subject to Senate confirmation.

Upcoming Congressional Meetings and Hearings

House Rules Committee meets regarding Senate amendment to H.R. 34—Tsunami Warning, Education, and Research Act of 2015 (Rules Committee Print 114-67, showing the text of the 21st Century Cures Act), H-313 Capitol, 5:00 p.m., November 29

Senate Judiciary Committee hearing to explore potential Mylan-Justice Department Settlement Over EpiPens; originally scheduled for November 30, but POSTPONED until further notice

House Energy and Commerce Subcommittee on Health hearing on “Examining the United States Preventive Services Task Force;” 2322 Rayburn Bldg., 10:30 a.m., November 30

House Oversight and Government Reform Government Operations Subcommittee hearing on “Federal Long-Term Care Insurance Program: Examining Premium Increases;” 2154 Rayburn Bldg., 2:00 p.m., November 30