



Lawmakers Continue to Comment on Part B Demonstration

Senator Richard Blumenthal (D-Conn.) has written to Acting Administrator of the Centers for Medicare and Medicaid Services (CMS) Andy Slavitt offering comments on the proposed Part B Drug Payment Model. Sen. Blumenthal urges CMS to “establish a formal mechanism that allows for direct patient input throughout the duration of the Model.” He also encourages CMS to monitor the model’s effect on access to medication and to educate beneficiaries about any potential impacts of the model. “By enabling input from beneficiaries and the health care community,” Sen. Blumenthal writes, “the Model can improve health care quality and enhance the cost-effectiveness of the Medicare program.”

Ways and Means Advances Hospital Pay Change Legislation

Last week, the House Ways and Means Committee approved the bipartisan Helping Hospitals Improve Patient Care Act (H.R. 5273) by voice vote. The package makes a number of changes to Medicare hospital payment policy. It would ease the hospital readmissions penalty by accounting for the socioeconomic status of patient populations. The legislation would also exempt hospitals that already had plans for off-campus office construction underway at the time of last year’s budget deal passage to receive higher reimbursement rates. The budget deal would require that these offices receive the lower reimbursement rates paid to physician offices. H.R. 5273 will now be advanced to the full House floor for consideration.

Speaker Ryan to Change Budget Amendment Process

Speaker of the House Paul Ryan (R-Wis.) is expected to make it more difficult to offer amendments to spending measures brought to the floor. At a House GOP conference meeting last week, Ryan proposed requiring that members submit their amendments ahead of time so that they are printed in the Congressional Record.

Under the current open rule, members of either party can offer unlimited amendments without giving advance notice. The change would prevent Republican leadership from being blindsided by politically volatile amendments, like

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Rep. Sean Patrick Maloney's (D-N.Y.) amendment that would have prohibited LGBT discrimination by federal contractors, which caused chaos on the floor during debate of the Veterans Affairs spending bill this year. The change would also allow members to better understand what they are voting on. The amendment requirement would go into effect after the Memorial Day recess.

Zika Update

Congress adjourned on Thursday for its weeklong Memorial Day recess without finalizing funding to address the spread of the Zika virus. The House, however, has appointed its members to the conference committee to reconcile the differences in each chambers funding package. Reps. Hal Rogers (R-Ky.), Tom Cole (R-Okla.), Kay Granger (R-Texas), Charlie Dent (R-Pa.), Jeff Fortenberry (R-Neb.), Tom Rooney (R-Fla.), Martha Roby (R-Ala.), and David Valadao (R-Calif.) were appointed from the Republican side, and Reps. Nita Lowey (D-N.Y.), José Serrano (D-N.Y.), Rosa DeLauro (D-Conn.), Sanford Bishop (D-Ga.) and Debbie Wasserman Schultz (D-Fla.) were appointed for the Democrats.

Biden to Host Moonshoot Summit

Vice President Biden announced plans to host a national conference on cancer research this summer. The daylong National Cancer Moonshot Summit will feature scientists, oncologists, nurses, donors and patients, and will be held on June 29 at Howard University. The Summit will focus on cancer prevention strategies, early detection, and increasing access to treatment and data sharing. Executive Director of the Moonshot Greg Simon hopes that the day will be an opportunity for stakeholders to form collaborations in support of the moonshot. The White House is also trying to organize small summits throughout the country – at least one in each state – that will be hosted by regional Department of Health and Human Services officials.

The End of the Antibiotic Era?

Researchers at the U.S. Department of Defense (DoD) have confirmed that a strain of E. coli resistant to antibiotics of last resort was found last month in a Pennsylvania woman. Health officials say this discovery could mark the end of the antibiotic era, and will likely force health care providers to begin using treatments other than antibiotics for infections. The bacteria have already been seen in patients in China and South America.

Lawmakers Question FDA's Off-Label Policies

House Energy and Commerce Committee Chairman Fred Upton (R-Mich.) and Health Subcommittee Chairman Joseph Pitts (R-Pa.) have **written** to the U.S. Department of Health and Human Services (HHS) questioning the Food and Drug Administration's (FDA) approach to regulating off-label communications. Recent litigation has resulted in questions about the FDA's authority to restrict such communication, and the lawmakers are "increasingly perplexed by the agency's unwillingness or inability to publically clarify its current thinking on these issues in a coherent manner." The lawmakers stress that they are open to working with the agency to modernize current law to align off-label use with 21st century medicine.

CDC Releases Antimicrobial Stewardship Playbook

The Centers for Disease Control and Prevention (CDC) has released a guidance document containing recommendations for the implementation of hospital stewardship programs aimed at preventing antibiotic resistant outbreaks. “Antibiotic Stewardship in Acute Care: A Practical Playbook” is based on the CDC’s Core Elements of Hospital Antibiotic Stewardship Programs, and outlines practical strategies for the creation of high quality stewardship programs in hospitals across the nation. The playbook was created in partnership with the National Quality Forum (NQF) and the Hospital Corporation of America.

Upcoming Congressional Meetings and Hearings

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

Recently Introduced Health Legislation

H.R.5304 (introduced by Rep. Marc A. Veasey): A bill amend title 10, United States Code, to extend health care coverage under the Transitional Assistance Management Program; to the House Committee on Armed Services; May 23

H.R.5314 (introduced by Rep. Mark DeSaulnier): A bill to provide for the development and dissemination of programs and materials for training pharmacists, health care providers, and patients on the circumstances under which a pharmacist may decline to fill a prescription for a controlled substance because the pharmacist suspects the prescription is fraudulent, forged, or otherwise indicative of abuse or diversion, and for other purposes; to the House Committee on Energy and Commerce; May 24

H.RES.747 (introduced by Rep. Rosa L. DeLauro): A resolution supporting the goals and ideals of May 23 as the “International Day to End Obstetric Fistula” to significantly raise awareness and intensify actions towards ending obstetric fistula; to the House Committee on Oversight and Government Reform; May 24

H.R.5324 (introduced by Rep. Dave Brat): A bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include health insurance payments and to increase the dollar limitation for contributions to health savings accounts, and for other purposes; to the House Committee on Ways and Means; May 25

H.R.5327 (introduced by Rep. Ann M. Kuster): A bill to reauthorize and improve programs related to mental health and substance use disorders; to the House Committee on Energy and Commerce; May 25

H.R.5330 (introduced by Rep. Ben Ray Lujan): A bill to provide for a report on best practices for peer-support specialist programs, to authorize grants for behavioral health paraprofessional training and education, and for other purposes; to the House Committee on Energy and Commerce; May 25

H.R.5331 (introduced by Rep. Ben Ray Lujan): A bill to amend title XIX of the Social Security Act to provide for behavioral health infrastructure improvements under the Medicaid program; to the House Committee on Energy and Commerce; May 25

H.RES.749 (introduced by Rep. Theodore E. Deutch): A resolution expressing support for the designation of May 25 as “National Moonshot Day” and recognizing the importance of conquering scientific challenges from medicine to space and beyond; to the House Committee on Education and the Workforce; May 25

H.R.5337 (introduced by Rep. Beto O'Rourke): A bill to ensure that an individual who is transitioning from receiving medical treatment furnished by the Secretary of Defense to medical treatment furnished by the Secretary of Veterans Affairs receives the pharmaceutical agents required for such transition; to the House Committee on Veterans' Affairs; May 26

H.R.5343 (introduced by Rep. Debbie Dingell): A bill to require increased reporting regarding certain surgeries scheduled at medical facilities of the Department of Veterans Affairs; to the House Committee on Veterans' Affairs; May 26

H.R.5362 (introduced by Rep. Joseph P. Kennedy, III): A bill to amend title XIX of the Social Security Act to provide a higher Federal matching rate for increased expenditures under Medicaid for mental and behavioral health services, and for other purposes; to the House Committee on Energy and Commerce; May 26

H.R.5366 (introduced by Rep. Patrick Murphy): A bill to amend the Internal Revenue Code of 1986 to exclude from gross income for seven years amounts earned from the sale of drugs that demonstrate breakthrough therapies for treating Alzheimer's disease; to the House Committee on Ways and Means; May 26

H.R.5369 (introduced by Rep. Tim Ryan): A bill to amend the Public Health Service Act to reauthorize the Healthy Start for Infants Program; to the House Committee on Energy and Commerce; May 26

H.R. 5375 (introduced by Rep. Mullin): A bill to amend titles XIX and XXI of the Social Security Act to eliminate the CHIP maintenance of effort requirement and to eliminate DSH cuts for States not implementing the ACA Medicaid expansion; to the Committee on Energy and Commerce; May 27

S.2977 (introduced by Sen. Joe Manchin III): A bill to amend the Internal Revenue Code of 1986 to establish an excise tax on the production and importation of opioid pain relievers, and for other purposes; to the Committee on Finance; May 24

S.2980 (introduce by Sen. Jeff Flake): A bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include health insurance payments and to increase the dollar limitation for contributions to health savings accounts, and for other purposes; to the Committee on Finance; May 25

S.2981 (introduced by Sen. Chuck Grassley): A bill to amend title XIX of the Social Security Act to add standards for drug compendia for physician use for purposes of Medicaid payment for certain drugs, and for other purposes; to the Committee on Finance; May 25

S.2983 (introduced by Sen. Sherrod Brown): A bill to amend title XIX of the Social Security Act to provide States with the option of providing medical assistance at a residential pediatric recovery center to infants under 1 year of age with neonatal abstinence syndrome and their families; to the Committee on Finance; May 25

S.2985 (introduced by Sen. Bill Cassidy): A bill to eliminate the individual and employer health coverage mandates under the Patient Protection and Affordable Care Act, to expand beyond that Act the choices in obtaining and financing affordable health insurance coverage, and for other purposes; to the Committee on Finance; May 25

S.2994 (introduced by Rep. Sen. Robert P. Casey): A bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the abuse of dextromethorphan, and for other purposes; to the Committee on Health, Education, Labor, and Pensions; May 26

S.2998 (introduced by Sen. Daniel Coats): A bill to amend title XVIII of the Social Security Act to ensure prompt coverage of breakthrough devices under the Medicare program, and for other purposes; to the Committee on Finance; May 26

S.3015 (introduced by Sen. Robert P. Casey): A bill to amend the Public Health Service Act to direct the Centers for Disease Control and Prevention to provide for informational materials to educate and prevent addiction in teenagers and adolescents who are injured playing youth sports and subsequently prescribed an opioid; to the Committee on Health, Education, Labor, and Pensions; May 26