



Health Policy Briefing

July 11, 2016

Conferees Complete Work on Opioid Abuse

House and Senate conferees met last week to work towards a legislative compromise to combat opioid abuse, and filed a final conference report for the Comprehension Addiction and Recovery Act (CARA) Wednesday evening. The report included \$85 million over the next five years in new funding for addiction treatment. The conference committee split along party lines in voting against the proposal to further increase spending on CARA. Democrats had threatened to withhold support for the conference report if it did not include at least \$920 million to expand access to addiction treatment. They proposed to pay for this new spending through \$1.2 billion in offsets that would be made available by making changes to Medicare and Medicaid overpayment rules and by addressing fraud in the programs. Republicans argued that the issue of funding should be addressed during the annual appropriations process. The House Appropriations health-spending bill includes \$581 million to address opioid abuse, but is far short of the President’s budget request of \$1.1 billion. Democratic conferees ultimately refused to sign off on the final report. Although the White House and congressional Democrats strongly criticized the conference report’s lack of funding, they stopped short of issuing a veto threat or vowing to vote against the measure. The conference report was considered on the House floor on Friday, and was overwhelmingly passed by a 407-5 vote. Justin Amash (R-Mich.), Mo Brooks (R-Ala.), Louie Gohmert (R-Texas), Thomas Massie (R-Ky.) and Mark Sandford (R-S.C.) voted against the measure. Majority Leader Mitch McConnell (R-Ky.) expressed plans to hold a vote in the Senate before adjourning for summer recess. The White House also announced last week new administrative steps aimed at combatting the misuse of prescription painkillers. The administration will increase the buprenorphine patient cap from 100 to 275 beginning on August 5 in an attempt to increase access to medication-assisted treatment. The administration will also revise Medicare patient satisfaction surveys regarding how well their pain was managed. The surveys, which are tied to hospital payments, are thought to increase the prescribing of opioids.

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Dems Release Draft Party Platform

The Democratic Party released its **draft platform** for 2016 last week. The platform endorses universal health care, noting, “health care is a right, not a privilege.” The platform calls for a renewed commitment toward and expansion of community health centers. The document outlines actions that should be taken to lower prescription drug costs, including the prohibition of “pay for delay” deals, the importation of prescription drugs, and allowing Medicare to negotiate with drug manufacturers. The platform also supports the acceleration of medical research, expanded access to addiction treatment and mental health services, and increased investments in public health.

House Appropriations Subcommittee Marks Up Labor-HHS-Education Spending Bill

The House Appropriations Labor-HHS-Education Subcommittee advanced a fiscal year (FY) 2017 spending bill to the full committee last week. Funding for the U.S. Department of Health and Human Services (HHS) would be increased by \$2.6 billion for a total of \$73.2 billion. The National Institutes of Health (NIH) would be increased by \$1.25 billion over the currently enacted \$33.3 billion. The House would reduce the Center for Medicare and Medicaid Innovation’s (CMMI) budget by \$7 billion. The bill also includes new spending to combat opioid abuse as well as funding to address the spread of the Zika virus. The House’s spending bill would establish a \$300 million reserve fund for infectious disease outbreaks, allowing Congress to more quickly respond during times of emergency. Unlike the Senate’s bipartisan version of the spending legislation, the House bill includes partisan riders that would affect funding related to the Affordable Care Act (ACA) and family planning programs, and a provision that would block implementation of the administration’s overtime rule. The bill is expected to be advanced by the full Appropriations Committee to the House floor by a party-line vote this week. Despite this progress, it is almost inevitable that a stopgap spending measure will be necessary to keep the government open following the end of FY 2016 on September 30. House Minority Whip Steny Hoyer (D-Md.) has previously noted his party’s support for the use of a continuing resolution to run from Oct. 1 through December, followed by an omnibus bill to fund the government through FY 2017. There has also been talk among congressional Republicans about a proposal to vote on a six-month continuing resolution to last until March 2017, in order to avoid an omnibus negotiated behind closed doors in December, as has happened frequently in recent years. Congress has yet to send any individual appropriations bills to the President for his signature. Congress is scheduled to leave on July 15 for the national political conventions and a summer recess that extends through Labor Day.

House Passes Mental Health Reform Bill

Last week, the House of Representatives passed the Helping Families in Mental Health Crisis Act (H.R. 2646) by a vote of 422-2. Justin Amash (R-Mich.) and Thomas Massie (R-Ky.) were the only members in opposition to the measure. The bill is budget neutral. It would authorize mental health treatment programs and strengthen leadership at the Substance Abuse and Mental Health Services Administration (SAMHSA). Lawmakers have introduced a similar bill in the Senate, but its fate is uncertain due to entanglement with gun background check legislation. Senate sponsors Bill Cassidy (R-La.) and Chris Murphy (D-Conn.) expressed hope that the bipartisan support for the House bill could improve the prospects of Senate passage.

Upcoming Congressional Meetings and Hearings

House Energy and Commerce Health Subcommittee hearing “Strengthening our National Trauma System;” 10:00 a.m., 2322 Rayburn Bldg.; July 12

House Ways and Means Committee hearing on the rising health insurance premiums under the Affordable Care Act (ACA); 10:00 a.m., 1100 Longworth Bldg.; July 12

House Energy and Commerce Committee markup of legislation including H.R. 921, the Sports Medicine Licensure Clarity Act of 2015 and H.R. 3299, the Strengthening Public Health Emergency Response Act of 2015; 2123 Rayburn Bldg.; 4:00 p.m., July 12 (opening statements only); 2:00 p.m., July 13

Senate Finance Committee hearing “Medicare Access and CHIP Reauthorization Act of 2015: Ensuring Successful Implementation of Physician Payment Reforms;” 10:00 a.m., 215 Dirksen Bldg.; July 13

House Appropriations Committee markup of the fiscal year 2017 Labor, Health and Human Services, and Education Bill; 10:00 a.m., 2359 Rayburn Bldg.; July 13

House Energy and Commerce Subcommittee on Commerce, Manufacturing, and Trade hearing “Disrupter Series: Health Care Apps;” 10:15 a.m., 2322 Rayburn Bldg.; July 13

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.; July 13

Recently Introduced Health Legislation

H.R. 5626 (introduced by Rep. Markwayne Mullin): A bill to amend title XIX of the Social Security Act to eliminate the requirement for 3 months of retroactive coverage under the Medicaid program; to the House Committee on Energy and Commerce; July 5

H.R.5645 (introduced by Rep. Steve Israel): A bill to authorize the Secretary of Health and Human Services to award grants for Alzheimer’s disease research; to the House Committee on Energy and Commerce; July 6

H.Res.811 (introduced by Rep. Rosa DeLauro): A resolution expressing support for the designation of September 2016 as National Ovarian Cancer Awareness Month; to the House Committee on Oversight and Government Reform; July 7

H.R.5652 (introduced by Rep. Diane Black): A bill to amend the Internal Revenue Code of 1986 to provide for coverage by high deductible health plans of medical management of a chronic disease without deductible; to the House Committee on Ways and Means; July 7

H.R.5655 (introduced by Rep. Matt Cartwright): A bill to establish programs related to prevention of prescription opioid misuse, and for other purposes; to House Education and the Workforce; July 7

H.R.5659 (introduced by Rep. Jason Smith): A bill to amend title XVIII of the Social Security Act with respect to expanding Medicare Advantage coverage for individuals with end-stage renal disease (ESRD); to House Energy and Commerce; July 7

H.R.5667 (introduced by Rep. Lynn Jenkins): A bill to amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on services furnished by Federally qualified health centers and rural health clinics; to House Energy and Commerce; July 7

Recently Introduced Health Legislation

H.R.5681 (introduced by Rep. Linda T. Sanchez): A bill to require the Center for Medicare and Medicaid Innovation to test the efficacy of providing Alzheimer's Disease caregiver support services in delaying or reducing the use of institutionalized care for Medicare beneficiaries with Alzheimer's Disease or a related dementia; to House Energy and Commerce; July 7

H.R. 5688 (introduced by Rep. Tom Price of Georgia): A bill to amend title XVIII of the Social Security Act to provide for a temporary exception to the application of the Medicare long-term care hospital site neutral provisions for certain spinal cord specialty hospitals; to the Committee on Ways and Means; July 8

H. Res. 815 (introduced by Rep. Jackson Lee): A resolution expressing the sense of the House of Representatives that governments should assure that all travelers departing for or returning from a destination where mosquito transmission of the Zika Virus is occurring will be informed of symptoms of the Zika Virus, the measures that should be taken to protect against mosquito bites, and inform women who are pregnant or may become pregnant to seek the advice of their physician prior to travel; to the Committee on Foreign Affairs; July 8

S.3126 (introduced by Sen. Angus King, Jr.): A bill to amend the Congressional Budget Act of 1974 respecting the scoring of preventive health savings; to the Committee on the Budget; July 6

S.3129 (introduced by Sen. John Thune): A bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016; to the Committee on Finance; July 6

S.3130 (introduced by Sen. Edward J. Markey, Jr.): A bill to amend title XVIII of the Social Security Act to provide for a permanent Independence at Home medical practice program under the Medicare program; to the Committee on Finance; July 6

S.Res.521 (introduced by Sen. Kelly Ayotte): A resolution expressing support for the designation of September 2016 as National Ovarian Cancer Awareness Month; to the Committee on the Judiciary; July 7

S.3137 (introduced by Sen. Shelley Moore Capito): A bill to require the Center for Medicare and Medicaid Innovation to test the efficacy of providing Alzheimer's Disease caregiver support services in delaying or reducing the use of institutionalized care for Medicare beneficiaries with Alzheimer's Disease or a related dementia; to the Committee on Finance; July 7