

June 12, 2015

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NEXT WEEK IN WASHINGTON...

- * On Tuesday, June 16, the Senate Health, Education, Labor and Pensions Committee has scheduled a hearing on the user experience with Electronic Health Records
- * Also on June 16, the Health Subcommittee of the House Energy and Commerce Committee will hold a hearing on mental health legislation.
- * On Wednesday, June 17, the House Appropriations Labor, HHS, Education Subcommittee may present a draft spending bill for fiscal year 2016.
- * On Thursday, June 18, the Health Subcommittee of the House Energy and Commerce Committee will hold a hearing on labeling of biotechnology in food.

1. WHITE HOUSE INFORMS NEWLY INSURED ABOUT PREVENTIVE HEALTH BENEFITS

On Thursday, June 11, Health and Human Services Secretary Sylvia Burwell announced the launch of a new campaign to help educate the newly insured about preventive health care benefits. The campaign, called Healthy Self, will include public events focused on the importance of preventive health care. "Coverage is an important step, and it gets a lot of attention, but it's only one piece of the puzzle," Burwell said. "How we get people to use their coverage has the potential to create healthier communities, discover illnesses earlier on when they're easier to treat and drive down health costs across the system."

Much of the campaign will be digital to connect with young Americans who generally are not using preventive services. The campaign will encourage individuals to use social media to post a "#HealthySelfie" of healthy activities like taking the stairs or choosing to eat a salad. Burwell also noted that many people still do not know about the free preventive services that they have access to under the *Affordable Care Act*.

2. HOUSE REMOVES EXTENSION OF MEDICARE CUTS TO PHYSICIAN PAYMENTS

The House on June 11, by a vote of 217-212, removed a contentious provision of the fast-track trade bill that would have used reductions in Medicare payments to physicians as a way to fund programs to assist those affected by trade policies. The Senate must still approve this provision. Last month, when the trade bill was considered by the Senate, the AAFP wrote a [letter](#) to the Senate leaders to tell them to remove this funding mechanism from the trade bill.

3. HRSA SETS TEACHING HEALTH CENTER GME PAYMENT

The federal agency which administers the Teaching Health Center Graduate Medical Education (THCGME) program, Health Resources and Services Administration (HRSA), announced on Friday, June 12 that the annual per resident amount will be “approximately \$95,000 per resident FTE” through the end of fiscal year 2017. The *Medicare Access and CHIP Reauthorization Act* (MACRA) enacted last April 2015 provided an additional \$60 million in fiscal years 2016 and 2017 for the THCGME program.

4. AAFP JOINS EFFORT TO STOP INDOOR TANNING TAX REPEAL

AAFP joined with 69 other physician and healthcare organizations in releasing a [joint statement](#) expressing continued support for the current tax on indoor tanning. Legislation introduced in the U. S. House this week, the *Tanning Tax Repeal Act* (HR 2698) would roll back the tax.

5. SUPREME COURT DECLINES TO HEAR STATE MAINTENANCE OF EFFORT CASE

On June 8, the US Supreme Court declined to hear another case challenging a provision of the *Affordable Care Act* (ACA). In *Mayhew v. Burwell*, Maine challenged the constitutionality of the ACA’s maintenance of eligibility requirements for Medicaid. Maine was proposing to drop Medicaid coverage for low-income 18- to 20-year-olds. CMS denied the proposal in 2012, arguing that it violated the ACA prohibition on states tightening Medicaid eligibility until 2019. According to the state challenge, the federal government’s threat to withhold all Medicaid funding should Maine restrict Medicaid eligibility was an unconstitutional coercion. Without comment, the Supreme Court denied Maine’s assertion that CMS violated the Constitution.

6. SENATE COMMITTEE CONTINUES HEALTH IT REVIEW

On June 10, the Senate Health, Education, Labor and Pensions Committee held a [hearing](#) titled, “Health Information Exchange: A Path towards the Quality and Value of Health Care for Patients.” During the hearing, Senators talked about the importance of improving health information technology. Specifically, Senator Lamar Alexander (R-TX) discussed concerns about implementation of Meaningful Use Stage 3 and the potential to delay the regulation. Senator Bob Casey (D-PA) asked how lack of interoperability impacts public health issues such as the vaccines. Senator Elizabeth Warren (D-MA) commented on the safety challenges that exist because of the lack of patient identifiers.

The Senate HELP Committee will have an additional hearing on June 16 to discuss the physician’s user experience. An additional panel will address patient access issues. On March 17, Robert Wergin MD, testified on behalf of the AAFP about the role of health IT in care coordination. Dr. Wergin’s [testimony](#) outlined the challenges of documentation, Meaningful Use regulation and the need to improve value-based care.

7. FamMedPAC SUPPORT OF ADVOCACY EFFORTS

FamMedPAC continues to provide support for AAFP’s federal advocacy efforts, participating in several events this week for important legislators. The PAC supported the following candidates/committees this week:

- **Rep Adrian Smith (R-NE)**, who is a member of the Health Subcommittee of the House Ways and Means Committee; FamMedPAC was the host for this event with the physician community in Washington, DC

- **Sen. Bob Casey (D-PA)**, who serves on both the Senate Finance Committee and the Senate Health, Education, Labor and Pensions Committee
- **Sen. Mark Warner (D-VA)**, a member of the Senate Finance Committee
- **Sen. Richard Blumenthal (D-CT)**, the senior Democrat on the Senate Veterans Affairs Committee
- **Sen. Harry Reid (D-NV)**, the Minority Leader of the Senate
- **Rep. Raul Grijalva (D-AZ)**, a leader of the Progressive Caucus in the House

8. SENATE BILL WOULD REGULATE ADVERTISING E-CIGARETTES

On June 5, the AAFP Board Chair wrote a [letter](#) to Senator Barbara Boxer (D-CA) in support of her bill, the *Protecting Children from Electronic Cigarette Advertising Act of 2015* (S 430), which would give the Federal Trade Commission authority to regulate the advertising of e-cigarettes to prevent marketing to children. While the AAFP continues to support the Food and Drug Administration (FDA) having the authority to regulate all nicotine delivery mechanisms, including e-cigarettes, having the FTC regulate e-cigarette advertising for unfair, fraudulent or deceptive practices is not incompatible with the FDA regulating the industry's advertising for misleading health or safety claims. Senator Boxer's office sought the AAFP endorsement at a meeting with California members attending the annual Family Medicine Congressional Conference.

9. AAFP SUPPORTS ADDED FUNDS FOR HUMAN TRAFFICKING PREVENTION

Senator Heidi Heitkamp (D-SD) introduced the *Stop, Observe, Ask and Respond (SOAR) to Health and Wellness Act* (S 1446). This bill would make available to health care providers, including physicians, additional training to help identify and protect victims and survivors of human trafficking. S 1446 would expand an existing pilot program, administered by the Health Resources and Services Administration that is designed to offer training to those physicians and health care professionals who are more likely to come across potential victims of human trafficking and help make sure these victims get the help they need. On June 5, the AAFP Board Chair, Dr. Reid Blackwelder, sent Sen. Heitkamp a [letter](#) to inform her of the AAFP's support for the bill. In this letter, he noted, "It is particularly important to develop these training programs, since recent studies conclude that nearly one-third of women trafficked in the US saw a health care professional while still captive."

10. AAFP SUPPORTS CARE PLANNING ACT

In a June 10 [letter](#) to Senators Johnny Isakson (R-GA) and Mark Warner (D-VA), the AAFP and other organizations expressed strong support for the bipartisan *Care Planning Act* (S 1549), which includes provisions to help improve documentation of patients' wishes for their care near the end of life and move toward greater patient-centered care. It would establish Medicare coverage for voluntary advanced care planning and authorize Medicare payment for providing a structured discussion about treatment options for a care plan and it would fund the development of quality measures for care near the end of life.

11. AAFP ENDORSES BILL TO REQUIRE NURSING PUMPING ROOMS IN AIRPORTS

On June 11, the AAFP sent a [letter](#) to Rep. Tammy Duckworth (D-IL) in support of the *Friendly Airports for Mothers Act* (HR 2530). The bipartisan bill would require operators of all large or medium hub airports in the United States to maintain a lactation area at each passenger terminal building behind the security screening area. The AAFP's endorsement is consistent with a resolution that the 2014 Congress of Delegates adopted that directed the AAFP to advocate for nursing pumping rooms at commercial transportation hubs.

12. REGULATORY BRIEFS

- On June 8, HHS [announced](#) a comprehensive prevention program to reduce falls among older people.

- On June 10, CMS issued a [press release](#) reminding that July 30, 2015 marks the 50th anniversary of the enactment of Amendments to the Social Security Act that established the Medicare and Medicaid programs. On July 30, 1965, President Johnson signed legislation to establish Medicare for the elderly and Medicaid for low-income adults, children, pregnant women, and people with disabilities.
- On June 11, HHS issued a [press release](#) regarding a study that indicates increased access to methadone or buprenorphine-based medication-assisted treatment (MAT) is critical to fully address the epidemic of opioid abuse and dependence in the United States.
- CMS will host the following free educational calls, [registration](#) is required:
 - National Partnership to Improve Dementia Care and QAPI, June 16, 1:30pm ET
 - Hospice Quality and Hospice Item Set Manual V1.02, June 17, 1:30pm ET
 - ICD-10: Preparing for Implementation and New ICD-10-PCS Section X, June 18, 1:30pm ET
 - Hospital Compare Overall Star Ratings Methodology, June 24, 1:30pm ET
 - ESRD QIP: Reviewing Your Facility's PY 2016 Performance Data, July 9, 2:00pm ET
 - ESRD QIP: Proposed Rule for Payment Year 2019, July 29, 2:00pm ET