

February 5, 2016

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NEXT WEEK IN WASHINGTON...

- * On Wednesday, February 10, the Health Subcommittee of the House Energy and Commerce Committee will hold a hearing to examine Medicaid and CHIP's Federal Medical Assistance Percentage (FMAP).
- * Also on Wednesday, the House Ways and Means Committee plans a hearing on the Health and Human Services Department's FY2017 budget. Secretary Burwell will testify.
- * On Thursday, February 11, the Senate Judiciary Committee is scheduled to debate the *Ensuring Patient Access and Effective Drug Enforcement Act* (S 483) and the *Comprehensive Addiction and Recovery Act* (S 524).

1. HOUSE FAILS TO OVERRIDE VETO OF HEALTH CARE ROLLBACK

On Wednesday, February 3, by a vote of 241-186, the House failed to override the President's veto of the *Restoring Americans' Healthcare Freedom Reconciliation Act* (HR 3762) that would have unraveled major portions of the health care reform law, as well as restrict federal funding to Planned Parenthood for one year.

2. CONGRESS CONSIDERS PRESCRIPTION DRUG ABUSE MEASURES

In his Fiscal Year 2017 budget proposal to Congress, President Obama will include a \$1.1 billion investment to fight opioid and heroin abuse, a topic that has broad bipartisan support. The Senate Judiciary Committee is scheduled to debate the *Comprehensive Addiction and Recovery Act* (S 524/HR 953) next Thursday, February 11.

3. FamMedPAC CHAPTER AWARDS ANNOUNCED

The final numbers are in for 2015 and the winners of the 2015 FamMedPAC Chapter Awards have been determined. FamMedPAC will present the annual PAC Chapter Awards at the National Conference of Constituency Leaders to the chapters who contributed the highest amount to the PAC in 2015, and the Chairman's Award to the chapter with the highest percentage of its members contributing to the PAC at the Club George level and above. The 2015 awards go to:

Small Chapter:	South Dakota	\$8,815.00
Medium Chapter:	Oklahoma	\$10,914.92
Large Chapter:	Massachusetts	\$14,056.00
Extra-Large Chapter:	California	\$39,205.41
Chairman's Award (Club George Percentage):	South Dakota	4.27%

The PAC supported two key Congressional leaders this week:

- **Sen. Richard Blumenthal (D-CT)**, who serves on the Veterans Affairs Committee and the Special Committee on Aging.
- **Rep. Gene Green (D-TX)**, the senior Democratic member on the Health Subcommittee of the House Energy and Commerce Committee.

4. TRADE PACT WOULD SAFEGUARD INTERNATIONAL TOBACCO CONTROL

On Wednesday, February 3, the AAFP joined some 34 other organizations of physicians and public health advocates in a [letter](#) to urge the leaders of the House and Senate to support the provision of the Trans-Pacific Partnership (TPP) that would prevent industry lawsuits against signing countries that restrict tobacco use. Normally, trade agreements like this stipulate that signing countries cannot restrict the importation and use of the covered agricultural commodities of the other signing countries. This would mean that governments that attempt to restrict the use of tobacco products could face prolonged and expensive legal actions from tobacco manufacturers. However, the TPP for the first time exempted tobacco products from this trade protection. While the letter that the AAFP joined in signing was silent about the overall trade agreement, it did urge Congressional leaders to keep this provision, which several agricultural and industry interests are opposing, intact.

5. SENATE CONSIDERS DR. MARY WAKEFIELD FOR DEPUTY SECRETARY OF HHS

On Thursday, February 4, the Senate Finance Committee held a hearing to consider several nominations, including that of Mary Wakefield, PhD, RN, for the position of Deputy Secretary of Health and Human Services (HHS). There was bipartisan support for her nomination. Dr. Wakefield, who currently serves as the Acting Deputy Secretary, was administrator of the Health Resources and Services Administration (HRSA) from 2009 to 2015. She joined HRSA from the University of North Dakota (UND), where she was associate dean for rural health at the School of Medicine and Health Sciences.

6. DEPARTMENT OF DEFENSE RESPONDS TO AAFP LETTER ON INSULIN PENS

In a [letter](#) sent to the AAFP on January 4, the Office of the Assistant Secretary of Defense for Health Affairs responded to a [letter](#) the AAFP sent on September 16, 2015 to the DOD, CMS, and private payers. The AAFP letter requested the DOD consider insulin pens to have the same formulary tier status as other insulin delivery products. The DOD referenced an upcoming review of insulin products in the coming year.

7. LETTERS SENT ON SMOKE-FREE PUBLIC HOUSING

The AAFP signed onto a January 19 [letter](#) to the U.S. Department of Housing and Urban Development that offered strong support for a proposed rule to institute smoke-free public housing. This coalition letter is in addition to a supportive [letter](#) the AAFP sent on January 13.

8. COUNCIL ON GRADUATE MEDICAL EDUCATION NOMINATIONS SUBMITTED

In a letter sent January 20 to the Health Resources and Services Administration, the Council of Academic Family Medicine, including the Society of Teachers of Family Medicine, Association of Departments of Family Medicine, Association of Family Medicine Residency Directors, the North American Primary Care Research Group, and the AAFP nominated Andrew Bazemore, MD, MPH; Gretchen Dickson, MD, MBA, FAAFP; Scott A. Fields, MD, MHA; Allen "Chip" Hixon, MD; and Terrence E. Steyer, MD to the Council on Graduate Medical Education. This letter also enthusiastically supported the separate nomination of Ted Epperly, MD, submitted previously by the AAFP.

9. AAFP ADVISES CMS ON THE REPORTING OF QUALITY MEASURES

On January 29, the AAFP sent CMS a [letter](#) in response to a request for information titled "Certification Frequency and Requirements for the Reporting of Quality Measures under CMS Programs." The AAFP response outlined continued support for efforts to improve quality measure reporting programs and the use of EHRs and commented on sections of the CMS document that impact family physicians and other primary care physicians such as the frequency of the certification of measures and changes to the minimum certification requirements.

10. FAMILY PHYSICIAN NOMINATED TO HHS PHYSICAL ACTIVITY COMMITTEE

In a letter send February 3 to HHS, the AAFP nominated Jason M. Matuszak, MD, FAAFP to the 2018 Physical Activity Guidelines Advisory Committee. The letter also expressed appreciating that HHS is convening this new advisory committee to provide science-based advice on how physical activity can help promote health and reduce the risk of chronic disease and that Dr. Matuszak's expertise and interest in this field will enhance the ability of the committee to achieve these important goals.

11. AAFP SUBMITS COMMENTS FOR THE SENATE HELP COMMITTEE'S HEALTH IT BILL

On January 29, the AAFP submitted [recommendations](#) to the Senate Health, Education, Labor, and Pension (HELP) Committee regarding its health IT discussion draft bill. The proposal was the culmination of a year-long HELP Committee policy review that included four hearings on patient care, [information blocking](#), patient engagement, and federal management. The AAFP [testified](#) at the first hearing. Throughout the process, AAFP provided technical assistance. The legislation incorporates some of AAFP's concerns and recommendations, specifically provisions to reduce physician documentation requirements and to improve interoperability. The discussion draft includes the following policies:

- reducing documentation requirements and administrative burdens, including a review of Meaningful Use, quality measures and physician payment
- improving user feedback, including product usability and interoperability
- establishing a quality rating system for health IT products
- strengthening oversight of vendors
- preventing information blocking
- improving standards for interoperability
- promoting clarity about patient records and privacy laws
- strengthening electronic health record certification standards
- commissioning a Governmental Accountability Office study on patient matching

The committee will incorporate an updated version of this health IT proposal within a [medical innovations](#) bill on February 9. The Senate's initiative will be similar to the House-approved 21st Century Cures Act (HR 4), which is [legislation](#) aimed at promoting faster delivery of drugs and devices through investments in research at the National Institutes of Health and support for precision medicine.

12. AAFP SUPPORTS A FLINT, MICHIGAN CRISIS RESPONSE AMENDMENT

On February 3, the AAFP [supported](#) an amendment offered by Senators Gary Peters (R-MI) and Debbie Stabenow (R-MI) to the *Energy Policy Modernization Act of 2015* (S 2012). The Peters-Stabenow amendment would authorize \$400 million within the Environmental Protection Agency (EPA) to repair service lines and restore access to lead-free water. Consistent with the *Improving Notification for Clean and Safe Drinking Water Act* (S 2466), the proposal also would require EPA to notify public health officials and communities when there is evidence of water contamination. The Peters-Stabenow amendment would establish a \$200 million Center of Excellence on Lead Exposure that will bring together experts to examine the long-term health effects of lead poisoning on children and adults and to recommend appropriate responses. The amendment has not yet come up for a vote in the Senate.

13. HOUSE ORGANIZES A FLINT, MICHIGAN CRISIS OVERSIGHT HEARING

This week, the House Oversight and Government Reform Committee held a [hearing](#) to examine the federal government's actions associated with the Flint, Michigan lead poisoning crisis. The agency is responsible for enforcing the *Safe Drinking Water Act*, which includes setting minimum national standards and monitoring state and local compliance. Reports indicate that governmental inaction compromised the public's health and safety for over a year. During the hearing, Chairman Jason Chaffetz (R-UT) expressed outrage about EPA's inaction and indicated that additional hearing would occur within the next few weeks. Rep. Elijah Cummings (D-MD) said the government failed the community's children and families. An EPA representative testified that the current SDWA lead and copper rule should be updated.