

June 17, 2016

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### NEXT WEEK IN WASHINGTON...

- \* On Tuesday, June 21, the Antitrust, Competition Policy and Consumer Rights Subcommittee of the Senate Judiciary Committee will hold a hearing on drug price competition.
- \* On Wednesday, June 22, the National Advisory Council on the National Health Service Corps will meet at the Health Resources and Services Administration.

## 1. SENATE FILIBUSTER LEADS TO SENATE DEBATE ON GUN VIOLENCE

The 15-hour "firearms filibuster," led by Senator Christopher Murphy (D-CT) on Wednesday, June 15, has led to an agreement to debate in the Senate on Monday, June 20, four amendments to address gun violence – two by Democrats and two by Republicans. The Republican amendments have not been announced, but the Democratic amendments will be one to close the gun show loophole and another one to make those on specific terrorist watch lists ineligible for purchasing firearms. It is likely that all four amendments will fail since they will require 60 votes to pass. The AAFP wrote to Sen. Schumer in support of the amendment to close the gun show loophole and to support federal research into gun violence.

## 2. CONGRESS ATTEMPTS TO FINISH WORK ON ZIKA SPENDING

The House-Senate conference committee appointed to finalize the spending for Zika prevention and research funds met on Wednesday, June 15. There is bipartisan support in both chambers for producing a final bill before Congress leaves for the Independence Day recess. However, the meeting made no obvious progress toward a compromise.

## 3. CONGRESS CONTINUES TO WORK ON AN OPIOID BILL

On June 14, the White House released the estimated amount of funding each [state](#) could qualify for under the President's proposal to expand access to opioid treatment. The president has asked for \$1.1 billion to help Americans with opioid use disorders get treatment. States would

receive funding based on the severity of the epidemic in their communities and the strength of their strategy to respond to it, if Congress agrees.

Subsequently, on June 16, the Senate voted 95 to 1 to negotiate with the House on the opioid legislation, in an effort to send a final bill to the president's desk before Congress recesses for the party conventions in mid-July. The Senate passed, 66 to 29, a motion offered by Sen. Jeanne Shaheen (D-NH) to insist that the *Comprehensive Addiction and Recovery Act* (S 524) include funding for prevention, treatment, and recovery associated with state and local efforts needed to combat the national heroin and opioid epidemic.

#### **4. MENTAL HEALTH REFORM BILL TAKES A STEP FORWARD**

On Wednesday, June 15, the House Energy and Commerce Committee approved the *Helping Families and Mental Health Act* (HR 2646) by a vote of 53-0. The legislation reforms current programs under the Substance Abuse and Mental Health Services Administration (SAMHSA) and includes policies to improve mental health care access, coordination, and best practices. The bill requires the U.S. Department of Health and Human Services to issue guidance clarifying the current patient privacy protections.

The legislation would include the following highlighted policies that correspond with the AAFP's mental health policy recommendations:

- Allows for same-day billing for primary care and behavioral services;
- Makes primary care integration a required activity under the Community Mental Health Services Block Grant program;
- Requires the Department of Health and Human Services to issue new practice guidance; and
- Improves mental health parity enforcement.

The House of Representatives is expected to debate HR 2646 in September. The Senate Health, Education, Labor, and Pensions Committee approved its companion bill, the *Mental Health Reform Act of 2016* (S 2680), in March. It is unclear when the full Senate will bring this bill up for a vote.

#### **5. HOUSE COMMITTEE REVIEWS FEDERAL ANTIBIOTIC RESISTANCE EFFORTS**

On Tuesday, June 14, the House Energy and Commerce Subcommittee on Governmental Oversight and Investigations held a hearing on the public health responses to antibiotic resistance. The panel was organized in response to a report about a Pennsylvania [patient](#) who was infected with a high resistant strain of bacteria that has not been seen in the United States. Rep. Tim Murphy (R-PA), the subcommittee chair, expressed concerns about the need for patient education necessary to curb expectations that may be associated with overprescribing. Rep. Gene Green (D-TX) mentioned research that is underway to help develop new antibiotics for rare infections, such as the one that was discovered recently.

#### **6. FamMedPAC SUPPORTS SENATE CHALLENGER, TWO KEY COMMITTEE MEMBERS**

FamMedPAC participated in Washington, DC fundraising events for three legislators this week, including a current member of the House running for the Senate in Arizona. The Arizona Academy of Family Physicians asked the PAC Board to consider supporting the candidate, and she completed the Candidate Questionnaire required for all open seat and challenger candidates. The PAC supported the following candidates this week:

- **Rep. Ann Kirkpatrick (D-AZ)**, who is running for the Senate. **Sen. Harry Reid (D-NV)**, the Senate Minority Leader, also attended the event.
- **Rep. Ron Kind (D-WI)**, a member of the Health Subcommittee of the House Ways and Means Committee.

- **Rep. Doris Matsui (D-CA)**, a new member of the Health Subcommittee of the House Energy and Commerce Committee.

## **7. SPEAK OUT TO KEEP TOBACCO REGULATIONS UNDER THE FDA**

On Monday, June 13, the AAFP learned that two House provisions that would effectively remove the FDA's authority over e-cigarettes, cigars, and other tobacco products might be added to the Senate Agriculture Appropriations bill later in the week. In addition to a sign-on [letter](#) with 53 other groups opposing the riders, AAFP Key Contacts for targeted Senate Appropriators have been asked to contact their Senators to educate them on the dangers of unregulated tobacco products. You can participate in the Speak Out [here](#), and look for the social media campaign in the coming days.

## **8. FAMILY MEDICINE COMMENTS ON GME RURAL TRAINING TRACKS**

In a [letter](#) sent Thursday, June 16 to CMS, the Council of Academic Family Medicine (CAFM) responded to the 2017 Hospital Inpatient Prospective Payment Systems (IPPS) proposed rule. The comments focused on the sections of the proposed rule regarding Graduate Medical Education (GME). The family medicine organizations stated that the primary health needs of rural America are not being met and that the production of primary care physicians, especially family physicians, is a key area where CMS can and should do more to remove barriers to increased production. The organizations called on CMS to provide special consideration for underserved rural areas under statutory authority given to CMS for that specific purpose and to construct regulations that enhance institutions' ability to produce family physicians.

## **9. TAX ON SUGARY DRINKS IN PHILADELPHIA COULD RAISE \$91 MILLION A YEAR**

On June 16, Philadelphia became the first major US city to pass a tax on sugary drinks. The tax of 1.5 cents an ounce will apply to all sugary or artificially sweetened drinks sold by distributors in the city. It is expected to increase prices to \$2.16 for a 12-pack, and 30 cents for a 20 ounce-drink. The city pursued the tax on the soft drink industry as a revenue source expected to raise \$91 million a year. If the tax is passed on to consumers, the increase is expected to significantly decrease the sales of sweetened drinks.

## **10. NEW YORK REACHES AGREEMENT ON PRESCRIPTION DRUG ABUSE**

On June 14, Governor Andrew Cuomo (D) and New York State lawmakers announced a final agreement on new legislation to combat heroin and prescription opioid abuse. The series of bills ([AB 10725](#), [AB 10726](#), [AB 10727](#)) would mandate insurance coverage for overdose medication and eliminate pre-authorization requirements for opioid addiction treatment. The measure also increases emergency treatment options, requires hospitals to provide follow-up treatment upon discharge, and reduces prescription limits for addictive opioids from 30 to seven days. In addition, the state budget approved on April 1 earmarked \$189 million to combat heroin and opioid addiction. The legislature is expected to pass the measure and the Governor will sign it.

## **11. REGULATORY BRIEF**

- On June 13, the CMS Acting Administrator provided [remarks](#) to the American Medical Association regarding the Medicare Access and CHIP Reauthorization Act.
- On June 15, the Medicare Payment Advisory Commission (MedPAC) released its [June 2016 Report to the Congress](#): Medicare and the Health Care Delivery System. [Chapter 2](#) of this report pertains to Medicare payment to clinicians.
- On June 16 CMS published a [report](#) discussing the integration of Medicare and Medicaid services and how alignment could help improve health outcomes for those in both.
- CMS will host the following free educational call, [registration](#) is required:
  - Quality Measures and the IMPACT Act Call on July 7 at 1:30 pm ET.
  - SNF Quality Reporting Program Call on July 12 at 1:30 pm ET.