

March 31, 2017

### **On the Horizon ...**

- \* On April 5, the Senate Health, Education, Labor, and Pensions Committee will hold a nomination hearing on Scott Gottlieb, MD to serve as Commissioner of Food and Drugs.
- \* On April 5, the House Labor, Health and Human Services Appropriations Subcommittee will hold a hearing on the federal response to the opioid abuse crisis.

## **U.S. CONGRESS**

### **1. HHS Secretary Testifies on Proposed Cuts at House Budget Hearing**

On March 29, Health and Human Services (HHS) Secretary Tom Price [testified](#) at a budget [hearing](#) before the House Appropriations Labor, Health and Human Services Subcommittee. Secretary Price fielded an array of questions from Subcommittee Ranking Member Rosa DeLauro (D-CT) and the other Democrats on the panel who inquired about whether HHS intended to continue insurance subsidies and advertising to support and promote *Affordable Care Act* (ACA) marketplace enrollment. Dr. Price did not articulate a clear decision on continued subsidy funding.

Rep. Lucille Roybal-Allard (D-CA) asked how HHS would operationalize the consolidation of the Agency for Healthcare Research and Quality (AHRQ) into the National Institutes of Health (NIH) and noted the value of AHRQ. Subcommittee members also expressed frustration at cuts to the Office of Minority Health and the elimination of Title X Family Planning. Secretary Price replied that HHS would find efficiencies and eliminate duplication in order to meet the proposed budget levels. He answered bipartisan concerns about the FY 2018 budget proposal to cut NIH by \$5.8 billion and by \$1.2 billion in FY 17 by noting that 30 percent of NIH grant funds are used for indirect expenses rather than the direct cost of the research.

The AAFP continues to advocate for key funding priorities. On March 30, the AAFP joined 155 Friends of HRSA on a [letter](#) to Congress calling for a discretionary appropriation of \$7.48 billion for Health Resources and Services Administration programs in the FY 2018 Labor, Health and Human Services, Education spending bill. The AAFP was also one of 182 national and state organizations on the CDC Coalition [letter](#) to Congress urging that they provide at least \$7.8 billion for the Centers for Disease Control and Prevention for FY 2018.

### **2. AAFP Addresses Primary Care for Underserved Communities on Capitol Hill**

Dr. Julie Wood, AAFP's Senior Vice President for Health of the Public and Interprofessional Activities spoke at a [forum](#) on Capitol Hill entitled **Primary Care: High-Value Care for Underserved Communities** cohosted by the AAFP on March 28. She announced the AAFP's new Center for Diversity and Health Equity to better address the social determinants of health. In her [presentation](#), Dr. Wood highlighted the need for federal workforce programs, such as Title

VII, the National Health Service Corps and Teaching Health Centers Graduate Medical Education, to increase the primary care physician workforce in underserved areas.

### **3. Senate Passes Repeal of Obama's Rule Against Abortion Funding Discrimination**

On March 30, the Senate narrowly cleared a resolution ([HJRes 43](#)) overturning the Obama administration rule which sought to prohibit states from discriminating against abortion providers like Planned Parenthood when distributing family planning funds. The Vice President Mike Pence was required to cast tie breaking votes to win passage of the resolution which the President is expected to sign. AAFP President John Meigs, Jr., MD and Board Chair Wanda D. Filer, MD, MBA signed a [joint statement](#) last January to call for protecting women's health coverage and financing and ensuring consistent treatment of qualified providers.

## **CENTERING ON THE STATES**

### **1. Bills of Interest**

Following are a few bills that may be of interest:

- **Health Insurance Exchanges** – The Oklahoma Senate has passed [legislation](#) creating the *Health Care Choice Act*, authorizing out-of-state insurers to sell plans in the state. This comes after the State Insurance Commissioner sent a [letter](#) to Governor Mary Fallin (R) warning that the state may not have any insurers in 2018. The Minnesota legislature is close to passing a [reinsurance program](#) which would spend \$271 million over 2018 and 2019 to prevent their health insurance exchange from collapsing. The program would reimburse insurers for their most expensive patients and would need approval by the Trump administration via a Section 1332 waiver.
- **Medicaid Expansion** – The Kansas legislature passed Medicaid expansion; however, Governor Sam Brownback (R) vetoed the [measure](#). To override the veto, two votes are needed in the Senate and three in the House of Representatives. In Virginia, Governor Terry McAuliffe (D) has proposed a [budget amendment](#) restoring his authority, on or after October 1, 2017, to pursue planning for Medicaid expansion.
- **Mental Health** – The Rhode Island Academy of Family Physicians held their Capitol Advocacy Day on March 28 where they met with legislators on RI-AFP priorities like [HB 5218](#), which would provide insurance coverage for mental illness and substance abuse. The Center for State Policy provides [Chapter Advocacy Day Assistance Grants](#) to small and medium chapters.
- **Prescription Drug Abuse** – The Wisconsin Governor's Taskforce on Opioid Abuse has put forth five different measures ([AB 1](#), [AB 4](#), [AB 7](#), [AB 8](#), and [AB 9](#)) aimed at curbing prescription drug abuse. The measures provide access to opioid antagonists, promote training programs for physicians in addiction specialties, and create opioid treatment programs. The Wisconsin Academy of Family Physicians registered support for all these actions.
- **Single Payer** – [California](#), [Hawaii](#), [Illinois](#), [Maine](#), [Massachusetts](#), [Minnesota](#), [Missouri](#), [New Mexico](#), [New York](#), [Ohio](#), [Rhode Island](#), [Vermont](#), and [Washington](#) have introduced legislation which would create universal health care for its citizens.

## **EXECUTIVE BRANCH**

### **1. AAFP Comments on Pediatric Alternative Payment Models**

After CMS requested public input on pediatric alternative payment models (APMs), the AAFP responded in a [letter](#) sent March 27. In it the AAFP recognized the leading role CMS takes in partnering with states and physicians regarding the health care coverage for more than one in three American children and provided information on the number of children treated by family physicians. The response also described the AAFP principles to support patient-centered APMs and that to be truly successful in improving care and reducing cost, APMs need a strong foundation of primary care. The letter expressed concern that some APMs may run the risk of

perpetuating (or even exacerbating) the fragmented care many patients receive under the current FFS system. Finally, the AAFP response to CMS discussed the Advanced Primary Care - Alternative Payment Model (APC-APM), a payment proposal developed by the AAFP that will be submitted to the Physician-Focused Payment Model Technical Advisory Committee.

## **2. Trump Administration Designates New Acting Director of National Drug Control Policy**

The White House on March 28 designated Richard Baum to serve as Acting Director of National Drug Control Policy until a permanent Director is nominated and confirmed by the Senate. There had been speculation that the Trump Administration might eliminate the White House Office of National Drug Control Policy.

## **3. Regulatory Briefs**

- CMS will host the following free educational calls; [registration](#) is required:
  - Medicare Shared Savings Program ACO: Preparing to Apply for the 2018 Program Year on April 6, at 1:30p ET.
  - Open Payments: Prepare to Review Reported Data April 13, at 12:30 pm ET.
  - Medicare Shared Savings Program ACO: Completing the 2018 Application Process on April 19, at 1:30p ET.
  - Global Surgery: Required Data Reporting for Post-Operative Care April 25 at 1:30pm ET.
  - Emergency Preparedness Requirements Final Rule Training April 27, at 1:30pm ET.

## **TAKE ACTION**

### **1. Get the Early Bird Discount: Register Now for the Family Medicine Advocacy Summit**

The AAFP's Family Medicine Advocacy Summit (formerly FMCC) will be held May 22 and 23 in Washington DC. The FMA Summit will inform participants about family medicine's legislative priorities and how to lobby and then put these skills to use as part of the "Day of Action" on the second day of the Summit. This year, the Day of Action will include a virtual component for AAFP members who are unable to be in DC. Please [register](#) online for the Summit at and make your hotel [reservations](#) by April 7 for the early bird discount.

### **2. Join the Family Physician Action Network**

With the ongoing debate on federal health policy, it is more important than ever for family medicine to stand united. AAFP has formed a grassroots network to enable family physicians to easily reach the legislators shaping their industry. Join the [Family Physician Action Network](#) to gain access to member's only content, training modules, and the tools to impact policy in Washington, DC. For more information, please visit our [website](#).