

February 2, 2018

On the Horizon ...

- * Congress is expected to pass another stopgap spending bill to prevent a government shutdown before the February 8 deadline.
- * On February 6, the House Ways and Means Committee will hold a hearing on removing barriers to prevent and treat opioid abuse and dependence in Medicare.
- * On February 8, the Senate HELP Committee will hold a hearing on the impact of the opioid crisis on children and families.

TAKE ACTION

Act Now to Save Teaching Health Centers

Congress' failure to provide long-term funding for teaching health centers threatens the future of vital family medicine residency programs. Tell Congress to act now to save teaching health centers and support the next generation of family physicians. [Speak Out today!](#)

U.S. CONGRESS

1. AAFP Urges Congress to Extend Funding for Expiring Health Care Programs

The AAFP collaborated with other health groups in a [letter](#) dated January 29 to the House and Senate leadership, calling on them to include the reauthorization and funding of expiring health programs in the next government appropriations bill. Seventy-five organizations signed the letter urging the reauthorization and funding of key expired health care programs.

CENTERING ON THE STATES

1. Bills of Interest

This week, 39 state legislatures, along with DC, Guam, and the US Virgin Islands, are in session. The following are bills that may be of interest:

- **Medicaid Waivers and Expansion** – Several states ([OK](#), [AL](#), and [VA](#)) have introduced legislation that would require them to submit waivers for federal approval to impose work requirements on their Medicaid populations. Virginia, Idaho, Wyoming, and Utah, all states that have long resisted Medicaid expansion under the Affordable Care Act, have expressed some openness to expanding the program should work requirements be included.
- **Pharmacy Benefit Manager (PBM) Oversight** – A number of states ([AZ](#), [FL](#), [MO](#), [MS](#), [NH](#), [NY](#), [PA](#), [SC](#), [VA](#), and [WA](#)) have introduced legislation to prohibit “gag” clauses in PBM contracts that prevent pharmacists from suggesting cheaper prescription drug alternatives to patients. Similar bills were enacted in Connecticut, Georgia, Maine, and North Carolina last year to increase drug price transparency and lower drug costs.
- **E-Cigarettes** – Legislation in [HI](#), [KY](#), [MI](#), [NM](#), [NY](#), [PA](#), [UT](#), [VT](#), and [WA](#) would, for the first time, impose an excise tax on e-cigarettes and vaping products, mostly by reclassifying them as “tobacco products” subject to the existing or similar tax rate on cigarettes and other forms of tobacco. Other states (CA, DE, DC, KS, LA, MN, NC, PA, and WV) already levy some sort of excise tax on e-cigarette or vaping products.

2. Idaho to Allow Non-ACA Compliant Insurance Plans

Idaho announced that, to lower the cost of health insurance plans, it would effectively allow health insurance plans offered in the state to ignore regulations established under the Affordable Care Act (ACA), including its protections for individuals with preexisting conditions, prohibition of lifetime limits, and coverage of mandated health benefits. Under this [executive order](#) signed on January 5, health plans are required to follow state insurance regulations and adopt several of the ACA's requirements, notably coverage of dependent children through age 26. Critics of the decision contend that the state does not have the authority to circumvent federal law, and it is expected to end up in court.

EXECUTIVE BRANCH

1. AAFP Responds to FCC Regulation on Telehealth in Rural America

In a January 31 [letter](#), the AAFP offered comments to improve consideration by the Federal Communications Commission (FCC) of rural healthcare and telehealth issues. The AAFP expressed appreciation that the FCC suggests several steps to ensure that rural physicians get the support they need while guarding against waste, fraud, and abuse.

2. Three Family Physicians Nominated to MACPAC

On January 31, the AAFP nominated Jason B. Dees, DO FAAFP, Shannon Dowler, MD, FAAFP, CPE, and Wanda D. Filer, MD, MBA, FAAFP to the Medicaid and CHIP Payment and Access Commission (MACPAC).

3. AAFP Comments on Department of Interior Rule

In a [letter](#) sent January 29, the AAFP commented on a proposed rule regarding "Oil and Gas Production Safety Systems." The AAFP expressed concern that these proposed revisions aim to amend needed and important safety regulations regarding oil and natural gas production. The AAFP opposed discontinuation of safety regulations enacted to prevent future accidents.

4. FDA Advisory Panel Reacts to iQOS Electronic Tobacco Products

On January 25, a FDA advisory panel determined that Philip Morris International Inc. should not be allowed to claim its iQOS electronic tobacco product is less risky than cigarettes. The AAFP had commented to the FDA on this issue in a December 1, 2017 [letter](#).

5. FDA Holds Public Hearing on Opioid Policy

On January 30, the FDA's Opioid Policy Steering Committee held a public hearing that was webcast and will be viewable next week on <https://collaboration.fda.gov/opsc>. Dr. Patrice Harris testified on behalf of the AMA's Opioid Task Force, which includes the AAFP, highlighting the administrative burden of PDMPs which are not integrated into physician workflow. There were [several speakers](#) who endorsed the idea of a national PDMP with appropriate privacy protections. The AAFP [submitted comments](#) to the FDA in advance of the public hearing.