

# Federal Legislative Update

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# Key Health Care Players in Trump Administration

Vice President Mike Pence



HHS Secretary Alex Azar



CMS Administrator Seema Verma



Medicaid Director Brian Neale



Office of Management and Budget Director Mick Mulvaney



HRSA Administrator George Sigounas



# What's Been Spared...

- MACRA
- Payment transformation – from volume to value
- ACOs
- CMMI
  - Drop mandatory demos
    - Proposed rule to canceled EPM and CR payment models and change CCJR
  - Provider feedback/buy-in on demo design
  - Keep pilots small

# 340B Drug Pricing Program

- CMS 2018 OPPS Finalized Payment Rule would change the payment rate for Part B drugs purchased by hospitals through 340B at ASP minus 22.5% vs. ASP +6
- Greater regulatory authority for HRSA and program integrity bill from Congress likely
- Drug pricing also a focus

# Telemedicine

- Progress has been slow on substantive telemedicine changes
- CHIP Reauthorization is the legislative vehicle to move telemedicine measures but substantive payment expansion unlikely
  - H.R. 2556 – CONNECT Act
  - S. 860 – CHONIC Care Act
  - H.R. 3178 – Medicare Part B Improvement Act (reimbursement for kidney dialysis treatments through telemedicine)
  - H.R. 3360 – adds eligibility for telemedicine Medicare payments for counties with sole community hospital or less than 25,000 people

# Medicare Extenders

- Medicare Dependent Hospital
- Low Volume Hospital Adjustment
- Outpatient Therapy Cap Exceptions
- Ground Ambulance Add-On



# FY 2018 House Labor, HHS Funding Bill

- \$156 billion in discretionary funding
  - *\$542 million below FY 2017*
  - *\$14.5 billion above President’s budget request*
  - *\$77.6 billion for HHS*
    - *\$3.5 billion for CMS (\$219 million below FY 2017)*
      - *No additional funding to implement ACA programs*
      - *Prohibits funds for “Navigators” program*
      - *Prohibits collection of user fees from Health Insurance Exchanges*
    - *\$35.2 billion for NIH (\$1.1 billion above FY 2017)*
    - *\$3.5 billion for SAMHSA (\$306 million below FY 2017)*

# FY 2018 Senate Labor, HHS Funding Bill

- \$164.1 billion in discretionary funding
  - *\$800 million below FY 2017*
  - *\$27.5 billion above President's budget request*
  - *\$79.4 billion for HHS*
    - *\$3.6 billion for CMS (same as FY 2017)*
      - *Does not provide new funding for the ACA*
    - *\$36.08 billion for NIH (\$2 billion above FY 2017)*
    - *\$816 million to fight opioid abuse*



# Budgetary Issues: Funding the Government

- Failure of “Regular Order”
  - 12 annual appropriation bills
  - Congress is currently 0 for 12
  - Current funding expires on December 8, 2017
  - Projection?





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