

EDITION: July 12, 2019



CONGRESSIONAL

E&C Health Subcommittee Passes Extenders and Surprise Billing Legislation

On July 11, the House Energy and Commerce Health Subcommittee passed nine bills extending and reauthorizing health programs, as well as moving forward with their version of legislation to combat surprise billing, the No Surprises Act (H.R. 3630). The bills passed include:

- [EMPOWER for Health Act \(H.R. 2781\)](#)
- [Title VII Nursing Workforce Reauthorization Act \(H.R. 728\)](#)
- [Autism CARES Act \(H.R. 1058\)](#)
- [Newborn Screening Saves Lives Reauthorization Act \(H.R. 2507\)](#)
- [Emergency Medical Services for Children Program Reauthorization Act \(H.R. 776\)](#)
- [Lifespan Respite Care Reauthorization Act \(H.R. 2035\)](#)
- [FAIR Drug Pricing Act \(H.R. 2296\)](#)
- [Community Health Investment, Modernization, and Excellence Act \(H.R. 2328\)](#)
- [Territories Health Care Improvement Act \(H.R. 3631\)](#)

The No Surprises Act, which sets a federal benchmark rate to settle payment disputes similar to the Senate HELP Committee version, passed by voice vote despite concerns being raised and a push by a few members of the Committee to include arbitration. The bill is expected to move to a vote of the Full Committee next week as the Committee tries to iron out some of the disagreements in the bill.

MACRA HIGHLIGHTS

Check out CMS' latest [podcast](#) on the CMS Innovation Center with how models are developed and future steps.

HEALTH CARE ACTIVITIES ON THE HILL

There are no health care hearings currently scheduled for next week.

Weekly Trivia

During the Civil War, what other uses did the Capitol Building have?

Click [here](#) for the answer!

ADMINISTRATION

Executive Order on Kidney Health

On July 10, President Donald Trump, at an event of kidney patients and stakeholders, signed an [executive order](#) for his Advancing American Kidney Health initiative with the goals of reducing the number of Americans developing end-stage renal disease (ESRD) by 25 percent by 2030, having 80 percent of new ESRD patients in 2025 receiving dialysis at home or receiving a transplant, and doubling the number of kidneys available for transplant by 2030. The executive order called on the Department of Health and Human Services (HHS) to propose policies and announce initiatives to raise awareness for the disease, encourage development of an artificial kidney, increase utilization of available organs through changes to organ procurement organizations (OPOs) and transplant centers, and support living organ donors by removing financial barriers. Along with the executive order, it was also announced that five new models through the Centers for Medicare and Medicaid Innovation (CMMI) would begin January 1, 2020 in order to accomplish some of these goals. One of the models, which would be mandatory for half the country, the [ESRD Treatment Choices \(ETC\) Model](#) would promote home dialysis and transplant. The other [four voluntary models](#), the Kidney Care First (KCF) and Comprehensive Kidney Care Contracting (CKCC) Graduated, Professional, and Global Models, will build off the current Comprehensive ESRD Care (CEC) Model to address not only ESRD, but Chronic Kidney Disease (CKD) 4 and 5.

Mandatory Radiation Oncology and ESRD Models Announced

On July 10, the Centers for Medicare and Medicaid Services (CMS) released its Specialty Care Models to Improve Quality of Care and Reduce Expenditures [proposed rule](#) for a mandatory model for Radiation Oncology (RO) and ESRD (mentioned above). The [RO Model](#) will test prospective site neutral, episode-based payments for radiotherapy (RT) episodes of care beginning January 1, 2020. The model will include 17 cancer types. Comments on the models will be accepted through September 16.

Home Health Proposed Rule Released

On July 11, CMS released its CY 2020 Home Health Prospective Payment System [proposed rule](#). The [proposal](#) continues implementation of a new payment system for home health beginning in 2020, the Patient-Driven Groupings Model (PDGM), and would update payments by 1.3 percent. The proposal also establishes a permanent home infusion therapy benefit for 2021, which was mandated by the 21st Century

Cures Act.

CMS Proposes Rescission of Medicaid Patient Access Rules

On July 11, CMS released its Methods for Assuring Access to Covered Medicaid Services Rescission [proposed rule](#). The [proposal](#) rescinds a 2015 rule requiring states to review whether Medicaid patients have access to a variety of services and seek public input on provider payment changes. This proposal is intended to relieve administrative burden and will go through a 60 day comment period.

HOOPER, LUNDY & BOOKMAN, P.C.

Government Relations and Public Policy

401 9th Street NW, Suite 550 Washington, DC 20004 | Telephone 202.580.7700

www.health-law.com | [@HLBHealthLaw](https://twitter.com/HLBHealthLaw)

Copyright © 2016 Hooper, Lundy & Bookman, P.C. All rights reserved.

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#)