

**EDITION:** November 7, 2017

## GOVERNMENT RELATIONS & PUBLIC POLICY

*Your weekly dose of health care policy*

### CONGRESSIONAL

#### House Passes IPAB Repeal

Last Thursday, the House passed [H.R. 849, the Protecting Seniors' Access to Medicare Act of 2017](#) by a vote of 307-111. This legislation repeals the Independent Payment Advisory Board (IPAB), which was created in the Affordable Care Act (ACA) to control per-capita spending in Medicare. It now goes to the Senate.

#### CHIP Passes in the House

Last Friday, the House passed [H.R. 3922, the Championing HEALTHY KIDS Act](#) by a vote of 242-174. This bill includes federal funding for the Children's Health Insurance Program (CHIP) for five

### MACRA HIGHLIGHTS

Want to know more about the latest MACRA Final Rule? CMS released this [Quality Payment Program Year 2 - Final Rule Overview](#).

### HEALTH CARE ACTIVITIES ON THE HILL

**House Judiciary Committee**  
11/7 at 2:00pm: Courts, Intellectual Property and Internet

years and two years of funding for other programs, including community health centers. CHIP expired Sept 30 and although it is a bipartisan issue, it became a partisan vote on the House floor due to disagreement between the Republicans and Democrats on how to pay for the bill. It is now up to the Senate to address.

### **Tax Reform Actions in the House**

On Nov 2, House Republicans released their tax reform bill, [H.R. 1, the Tax Cuts and Jobs Act](#). Although President Trump and others wished to see the ACA individual mandate repeal included, it wasn't. The bill does include a few other health-related tax issues though, including the elimination of the medical tax deduction. The House Ways & Means Committee is marking up the bill this week and Chairman Kevin Brady (R-TX) stated that his committee is working on another bill to address the unpopular ACA taxes, such as the medical device tax and the health insurance tax, which would be separate from tax reform and would also move separately by the end of the year.

The Senate is expected to release their own tax reform bill this week.

## **ADMINISTRATION**

### **ACA Plan Shopping Officially Opens**

[Open enrollment](#) for exchange plans officially started last week. The enrollment process started November 1 and goes until December 15.

### **CMS Release OPPTS Final Rule**

Last Wednesday, the Centers for Medicare and Medicaid Services (CMS) released their [Hospital Outpatient Prospective Payment System \(OPPS\) and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs Final Rule](#). The rule included a

Subcommittee hearing on the [Allergan Patent Deal](#).

### **House Energy and Commerce Committee**

11/8 at 10:00am: Health Subcommittee hearing on [MACRA and Alternative Payment Models](#)

### **House Education and Workforce Committee**

11/8 at 10:30am: Joint Subcommittee on Early Childhood, Elementary, and Secondary Education and Higher Education and Workforce Development hearing on "[Close to Home: How Opioids are Impacting Communities.](#)"

### **WEEKLY TRIVIA**

Who originally wrote the words "To care for him who shall have borne the battle," which is now the motto of the Department of Veterans Affairs? Click [here](#) to find the answer.

Which flower is considered the symbol of Veterans Day? Tulip, Rose, Poppy, or Forget-Me-Not. Click [here](#) to find the answer.

---

controversial reduction of payment for drugs through the Medicare 340B drug discount program.

### **CMS Releases Home Health Rule**

In addition to OPPTS, CMS also released their [Home Health Prospective Payment System Final Rule](#) last Wednesday. CMS is not finalizing the Home Health Groupings Model and will take additional time to further engage with stakeholders to move towards a system that shifts the focus from volume of services to a more patient-centered model.

### **Physician Payment Final Rule Released**

Last Thursday, CMS released their [2018 Medicare Physician Fee Schedule \(PFS\) Final Rule](#). CMS stated that the rule is part of their broader strategy to relieve regulatory burden for providers.

### **CMS Releases QPP Rule**

On Nov 2, CMS issued their [Final Rule with comment for the Quality Payment Program \(QPP\)](#). The QPP final rule includes policies that reduce burden and provides additional detail on clinician participation in Advanced Alternative Payment Models (APMs). In addition, CMS intends to develop a demonstration project testing the effects of counting as credit participation prior to 2019 and through 2024 in Medicare Advantage plans that meet certain criteria.

### **Trump's Opioid Commission**

Last Wednesday, President Trump's Opioid Commission approved recommendations on America's opioid epidemic. The [final report](#) offered 56 recommendations ranging from increasing access to treatment programs, to allowing more emergency responders to administer overdose antidotes. The panel also called for establishing drug courts in every judicial district nationwide.

---

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

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