



## ACEP 911 Network Weekly Update April 3, 2017

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### House Republicans' Efforts to Repeal ACA Stalled – What Next?

Much of last week was filled with speculation on the Administration's and Republican leadership's next move to "repeal and replace" the Affordable Care Act. The previous Friday, House GOP leaders canceled a planned vote on their health insurance overhaul bill, the "American Health Care Act" (AHCA), after last-ditch efforts failed to win over enough conservative and moderate supporters within the House GOP conference (each modification made to appease the House Freedom Caucus members drove more Republican moderates away from the bill).

ACEP continues to advocate on behalf of our "[Emergency Medicine Health Care Reform Principles](#)" and during the development of the AHCA, expressed concern about some of the revisions that would potentially weaken patients' access to emergency care. Based on late changes made to the bill to secure individual votes, ACEP decided to oppose the legislation. ACEP President Dr. Rebecca Parker issued a [statement](#) that "ACEP cannot support any legislation that does not include emergency medical care as a covered benefit in health insurance. The Affordable Care Act included emergency services as an essential health benefit and any replacement legislation must do the same."

The House GOP leadership has yet to make any concrete decisions on the path forward for health care reform. Despite public entreaties to Democrats, initial discussions are focused on how to cobble together enough Republican votes to use the FY 2017 reconciliation process (and its procedural protections in the Senate) because Democrats have expressed no interest in helping Republicans repeal the ACA law. House Speaker Paul Ryan (R-WI) is encouraging factions from the GOP's moderate and conservative wings to negotiate a possible health-care compromise, but, given the different objectives of the groups, it is unclear how such a compromise could be reached.

However, Republicans still feel obliged to tackle ACA repeal as many of them campaigned on that promise and the savings derived from the AHCA would significantly help the GOP with their tax reform efforts.

### **HHS Secretary Price Testifies at Appropriations Hearing**

Last Wednesday, HHS Secretary Tom Price testified before the House Appropriations Labor-HHS-Education Subcommittee about the Administration's proposed cuts to various programs under the committee's jurisdiction, such as NIH, AHRQ, emergency preparedness, etc. (see story below). Throughout his testimony, Dr. Price affirmed the Administration's intent on dismantling parts of the Affordable Care Act even if Republicans in Congress lack the votes to repeal or replace it.

He also outlined how his department could make insurance plans cheaper by scaling back several federal mandates, including what the ACA currently defines as "essential health benefits" in coverage. On several occasions, Price suggested he may define how much insurers would have to cover under the category of essential benefits, which includes emergency services, maternity and newborn care, as well as substance abuse and mental-health treatment, among others.

Even before House Republicans withdrew legislation last week that would have repealed key aspects of the ACA, White House officials had pledged to pursue a second phase of changes through executive action. This stage could cover everything from how aggressively the government promotes enrollment under the law to what sort of financial support it gives to prop up the ACA marketplace.

Insurers are particularly anxious to know whether the cost-sharing subsidies that help lower-income people cover their out-of-pocket costs, which House Republicans have challenged in court as illegal, will continue. According to the Congressional Budget Office (CBO), those federal payments will total \$7 billion this year and \$10 billion in 2018.

Rep. Tom Cole (R-OK), who chairs the panel before which Price testified Wednesday, said he was open to providing the funds but that it would have to be a House leadership decision.

Price indicated Wednesday that the individual mandate remained in place, telling the panel, "So long as the law's on the books, we at the department are obliged to uphold the law."

But the president offered leeway in enforcing the mandate hours after his inauguration in January, when he signed an executive order instructing agencies "to minimize the unwarranted economic and regulatory burdens" associated with the ACA, in part by acting to "waive, defer, grant ?exemptions from or delay" its rules.

### **Trump Administration Proposes \$1.2 Billion Cut at NIH this Year**

Overall, the administration has proposed \$18 billion in cuts across more than 20 federal departments for the current fiscal year, according to a proposal sent to congressional appropriators on March 15.

The proposed NIH cut (\$5.8 billion – roughly 20%) is one of the three largest reductions to individual agencies spelled out in the document — but the cuts are unlikely to be implemented. House appropriators have said that it's too late for the Trump administration to request drastic cuts to agencies this year.

The NIH cuts would include a \$1.18 billion reduction in research grants and the elimination of \$50 million in spending on new Institutional Development Award ([IDeA](#)) grants. The White House also would cut more than \$300 million from the CDC, with about \$100 million coming from its HIV/AIDS programs and the remainder coming from various public health research programs, initiatives and preparedness.

The White House also is calling for a \$50 million cut to AHRQ — about 15 percent of the agency's budget — by reducing new grants and a \$40 million cut to FDA through staffing savings.

### **President Creates Task Force to Study Drug Addiction and Opioid Abuse**

President Trump last week signed an executive order establishing a Commission on Combating Drug Addiction and the Opioid Crisis, which will be chaired by New Jersey Gov. Chris Christie. The Commission will study steps lawmakers and federal officials can take to combat and treat drug abuse, addiction and the opioid epidemic.

President Trump signed the executive order after a White House meeting with various stakeholders and stated he stands by his campaign promise "to take action to keep drugs from pouring into our country and to help those who have been so badly affected by them."

According to the executive order, the commission will be charged with: (1) identifying existing federal funds used to combat drug addiction and the opioid crisis; (2) assessing the availability and accessibility of treatment services and overdose reversal throughout the country; (3) reporting on best practices for addiction prevention; and (4) evaluating existing federal programs to prevent and treat drug addiction.

Additionally, the panel has 90 days to submit a report to the president on its interim recommendations on how the federal government can address drug addiction and the opioid epidemic. It must issue a report containing its final findings and recommendations by Oct. 1.

Last November, Surgeon General Vivek Murthy [released](#) his office's first-ever report on opioids and addiction, which included tools and recommendations collected from more than a year of research. The CDC also released prescribing guidelines after thorough study.

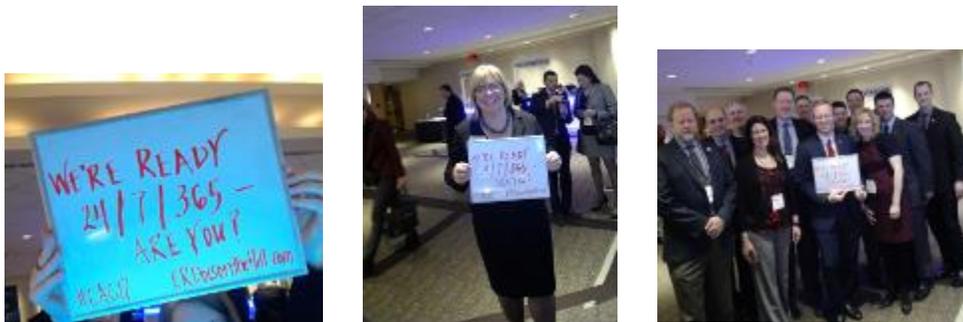
Several advocates pointed out that the failed House Republican bill to repeal the ACA would have significantly hindered access to addiction treatment. The legislation was not only projected to lower coverage but also would have eliminated essential health benefit guarantees — including mental health — for millions of Americans covered through various ACA-related programs. The bill would have slashed Medicaid expansion, which experts say helped nearly 1.3 million low-income Americans gain access to substance-use treatment.

Trump's budget proposal for next year keeps the \$500 million allotted to states through the 21st Century Cures Act to fight opioid addiction and proposes \$175 million more to fight drug trafficking. But it would cut funding by 14 percent for the Coast Guard, whose maritime interdiction efforts are necessary at a moment when cocaine production and trafficking is at an all-time high.

### **ACEP's 2017 "Leadership & Advocacy Conference" Brings Record Number of Emergency Physicians to Washington, DC**

More than 600 emergency physicians attended the ACEP 2017 Leadership and Advocacy Conference in Washington, DC earlier this month, a record attendance for the meeting that continues to attract more and more ACEP members interested in advocating for the specialty and patients. Conference attendees (including more than 120 residents and many first-timers) from 46 states were scheduled to participate in 340 meetings in Capitol Hill offices with legislators and/or their health care staff. A winter storm, which paralyzed air travel for many legislators returning to Washington, DC and closed some Capitol Hill offices, hampered the official ACEP "Lobby Day" for meeting registrants but many were able to make it to Capitol Hill and meet with available members and staff or drop off materials outlining ACEP's health care reform principles.

ACEP President Dr. Becky Parker led a live call to action powered by Phone2Action that alerted legislators that ACEP members were in DC to advocate for the specialty and patients. In just a few minutes time, simply by using their smartphones, LAC attendees sent nearly 1,000 communications to legislators instantly via email, Twitter and Facebook. Registrants were also able to send messages to the new administration via Phone2Action.



The conference touched on several important topics such as the opioid crisis and innovative solutions pioneered by ACEP members, quality improvement efforts and the changing Medicaid landscape, among other topics. Members also heard from Rep. Brett Guthrie (R-KY), Chairman of the House Energy and Commerce Committee Medicaid Task Force, and former Vice President-nominee Sen. Tim Kaine (D-VA).

Attendees who visited Capitol Hill focused on:

- Asking legislators to co-sponsor the "Health Care Safety Net Enhancement Act of 2017" (H.R. 548/S. 527), sponsored by Representative Charlie Dent (R-PA) and Senator Roy Blunt (R-MO). The bi-partisan legislation provides medical liability

relief for physicians providing care under the EMTALA mandate. Participants also asked legislators to co-sponsor the bills and advocate for further action through Congress.

- Sharing ACEP's Health Care Reform Principles and discussing our concerns with the House ACA repeal proposal.
- Urging legislators to develop an In-District Health Care Advisory Committee with participation by an emergency physician.



The issue papers are available on the [ACEP Advocacy website](#) with your ACEP log-in credentials.

### **911 Network Member of the Year**

Each year, ACEP recognizes an outstanding advocate in our 911 Legislative Grassroots Network. This year's award recipient was Dr. Matthew Watson, MD, FACEP who was recognized for his outstanding efforts on the state and federal level to educate legislators and their staff about emergency medicine's priorities. His work has included hosting legislators in his emergency department, educating candidates and new lawmakers on critical ACEP policies, and encouraging many of his colleagues to become involved in advocacy on the grassroots level and in the political process. Dr. Watson is a Georgia College of Emergency Physicians (GCEP) Councillor, former chair of the GCEP PAC, a member of the NEMPAC Board of Trustees, and serves on the Emergency Medicine Action Fund (EMAF) Board of Governors.



### **NEMPAC at LAC**

Dr. Becky Parker and NEMPAC Chairman Dr. Peter Jacoby hosted the NEMPAC VIP Reception on the rooftop of the Hay Adams Hotel.



[NEMPAC](#) hosted several fundraising “Dine-Arounds” for Members of Congress. ACEP leaders, NEMPAC Board members, and conference attendees participated in the dinners adding their personal donations to NEMPAC contributions for the following legislators’ election campaigns: Rep. Michael Burgess (R-TX), Senator Chris Murphy (D-CT), Rep. Greg Walden (R-OR) and Sen. Debbie Stabenow (D-MI).



Events scheduled for Reps. Raul Ruiz (D-CA), Pat Tiberi (R-OH) and Sen. Ben Cardin (D-MD) were postponed due to weather conditions.

**Mark your calendars** for next year's Leadership and Advocacy Conference, **May 20-23, 2018 in Washington, DC.**



