



September 21, 2018

In this issue:

- [Out-of-Network Reimbursement Discussion Draft Released in Senate](#)
- [Senate Approves Comprehensive Opioid Package](#)
- [Senate Advances Bill Funding Federal Health Care Programs](#)
- [ACEP Participates in Drug Shortage Summit](#)
- [HHS Efforts to Fight the Opioid Epidemic](#)
- [NEMPAC at ACEP18](#)
- [Save the Date: 11/30 – 12/1 Specialty Physician and Dentist Candidate Workshop in Washington, DC](#)

Out-of-Network Reimbursement Discussion Draft Released in Senate

On Tuesday, Senator Bill Cassidy (R- LA), in conjunction with a bipartisan group of five other senators, released a discussion draft of legislation that seeks to address the issue of out of network medical billing. Senators Bill Cassidy (R-LA), Michael Bennet (D-CO), Chuck Grassley (R-IA), Tom Carper (D-DE), Todd Young (R-IN), and Claire McCaskill (D-MO) formed a bipartisan workgroup earlier this year to address the issue of healthcare price transparency, and in April sent a [letter](#) requesting input to a number of organizations, including ACEP, asking for stakeholder input on a number of questions on the issue. ACEP responded and was also a participant in a roundtable held by the workgroup in August. The input collected from stakeholders throughout these engagements was used by the Senate working group to develop the legislative discussion draft released this week.

The draft bill sets payments to out-of-network emergency physicians by any methodology dictated under that state's law, should there be one, or, when there isn't, at the greater of either median in-network payments or 125% of average allowed amounts as determined by an independent database selected by the state. It would also prohibit at the federal level balance billing by out-of-network providers. The federal payment methodology would apply for emergency patients with coverage by a self-funded insurance plans (i.e. ERISA), regardless of state law.

ACEP staff are reviewing the draft and meeting with the Senate offices involved to advocate for changes that would better ensure a system in which emergency physicians receive fair payment from insurers for the care provided to their policyholders, and that patients are adequately protected from unexpected lack of coverage. The discussion draft is expected to undergo changes based on input received from stakeholders and then be officially introduced as legislation later this Fall. With little time left in the legislative calendar before the end of this Congress in December, it is uncertain that it could advance far enough in the legislative process to come up for a vote. That being said, lawmakers are hearing almost continuously from their constituents on difficulties they face with health care costs, so there is pressure for them to take action.

Senate Approves Comprehensive Opioid Package

On Monday, the Senate voted 99 to 1 to approve legislation to address the opioid crisis that includes two ACEP-developed bills to expand ED-focused tools for addressing the opioid epidemic. Since the House companion bill (H.R. 6) passed in July also included similar provisions, the ED-focused bills are well positioned to be included in the final package that still must be reconciled by House and Senate negotiators. The two provisions would authorize grants to expand the Alternatives to Opioids (ALTO)

program and the ED-initiated Medication Assisted Treatment (MAT) program that develops best practices for providing a “warm handoff” of opioid use disorder patients to appropriate community resources and providers to keep them engaged in addiction treatment.

Senate Advances Bill Funding Federal Health Care Programs

On Tuesday, the U.S. Senate approved a massive appropriations bill, by a vote of 93 to 7, which would provide fiscal year 2019 funding for the departments of Defense, Labor, Health and Human Services, and Education. The legislation, H.R. 6157, also includes a Continuing Resolution (CR) to maintain funding for any part of the federal government that has not been funded through the regular appropriations process by the Oct. 1 start of FY 19.

The House is expected to vote on the bill next week. If approved, it would then be sent to the president for his signature. It’s unclear whether he would sign the bill, avoiding a potential government shutdown, as he may try to use this bill as leverage to secure a commitment for more border wall funding.

ACEP Participates in Drug Shortage Summit

On September 20, ACEP President Paul Kivela, MD, MBA, FACEP, attended a drug shortage summit hosted by the American Society of Anesthesiologists, American Hospital Association, and the American Society of Health-System Pharmacists. The summit focused on the national security implications of drug shortages and ways to improve the nation’s health care infrastructure. Many of the speakers were from federal agencies, including HHS, ASPR, FDA, CDC, and the Defense Logistics Agency (DLA), who engaged the attendees in discussions on how their programs could work better to facilitate patient care, improve transparency and communications, and more effectively utilize the supply chain capacity.



Dr. Kivela and Laura Wolf, Ph.D., Director of HHS Division of Critical Infrastructure Protection



Dr. Kivela and CAPT Valerie Jensen, R.Ph., Associate Director of the Drug Shortages Program in FDA's Center for Drug Evaluation and Research

HHS Efforts to Fight the Opioid Epidemic

On Wednesday, September 19, the Department of Health and Human Services (HHS) announced that it had awarded over \$1 billion in opioid-specific grants to help combat the crisis--

- The Substance Abuse and Mental Health Services Administration (SAMHSA) awarded more than \$930 million in State Opioid Response grants to support a comprehensive response to the opioid epidemic and expand access to treatment and recovery support services, including Medication-Assisted Treatment.
- The Health Resources and Services Administration (HRSA) awarded over \$396 million in grants, the majority of which supported an effort to increase access to substance use disorder and mental health services at 1,232 community health centers across the nation.
- The Centers for Disease Control (CDC) awarded \$155.5 million to increase support for states and territories working to prevent opioid-related overdoses, deaths, and other outcomes and another \$27 million to support states and territories with staffing, procurement, and training to enhance local public health capacity.

More information on these grants can be found [here](#).

Also, on Thursday, September 20, the Surgeon General, Vice Admiral Jerome Adams, released a [Spotlight on Opioids](#) that provides the latest data on the prevalence of substance use, opioid misuse, opioid use disorders, opioid overdoses, and related harms. The report also includes recommendations and resources for different stakeholders to help address the opioid epidemic.

NEMPAC at ACEP18
To celebrate 50 years of ACEP and advocacy on behalf of emergency medicine and patients, NEMPAC is hosting several events to thank and recognize ACEP members for their support.

NEMPAC VIP Donor Reception
Donors contributing at the Platinum, 10-Year and 5-Year "Give-a-Shift" level are invited and may bring one guest.

Monday/5:00 pm
San Diego Wine and Culinary Center

NEMPAC Donor Celebration
Donors contributing \$500 or more (\$50 for Residents and Med Students, \$365 for Retired and Transitioning Members) are invited. Platinum and "Give-a-Shift" donors may bring one guest.
Monday/6:30 pm
USS Midway

NEMPAC "Give-a-Shift" Donor Lounge
Open to Platinum and "Give-a-Shift" donors
Monday – Wednesday/8:00 am – 4:00 pm
San Diego Convention Center, Sails Pavilion
Complimentary breakfast, lunch, & snacks provided along with professional shoulder/neck massage and complimentary use of computers, printers, and television.

NEMPAC 2018 VIP Donor Perk – Tele-town hall with elections expert Nathan Gonzales
Donors contributing at the Platinum, Give-a-Shift and Sterling levels are eligible for this event.
Wednesday, October 10
2:00 pm – 3:00 pm EST

To renew your NEMPAC contribution, please go to www.acep.org/nempac
If you have questions about NEMPAC or the events listed above, please contact [Jeanne Slade](mailto:Jeanne.Slade@acep.org)
or [Caitlin Demchuk](mailto:Caitlin.Demchuk@acep.org) in the ACEP Washington DC office.

Save the Date: 11/30 – 12/1 Specialty Physician and Dentist Candidate Workshop in Washington, DC

Are you interested in running for office on the local, state or federal level? We are looking for two active ACEP Members and dedicated 911 Network participants to attend the Specialty Physician and Dentist Candidate Workshop. This exclusive two-day training takes place in Washington, DC and provides best practices and insider knowledge for how to get elected – from physicians who are already in office! The NEMPAC Board will select two ACEP members to attend this workshop. Travel expenses and registration will be covered by ACEP. Questions? Contact Jeanne Slade at jslade@acep.org for more information.



Connect with us on  Facebook and  Twitter!



To ensure delivery to your inbox, add ACEP@acep.org & JSlade@acep.org to your address book.
Copyright © 2018 American College of Emergency Physicians. All rights reserved.
View the ACEP [privacy policy](#).

ACEP Public Affairs | 2121 K Street, NW Suite 325 | Washington, DC 20037

[Click here to unsubscribe.](#)