



The U.S. Senate and House of Representatives are in session next week.

In This Issue:

- **Congress Clears Disaster Relief Package and Other Temporary Extensions**
 - **Time Running Out in Senate for Obamacare Repeal**
- **Senate Committee Examines Individual Insurance Marketplace Stabilization**
- **Senate Committee Looks at Children's Health Insurance Program (CHIP)**
 - **Senate Appropriators Approve HHS Spending Bill**
- **Nov. 1 is White Coat Day on Capitol Hill during ACEP17**

Congress Clears Disaster Relief Package and Other Temporary Extensions

When Congress returned after the August recess, it only had 12 legislative days to address several pending deadlines, such as funding for the federal government before the end of the fiscal year (Sept. 30), raising the national debt limit and funding the Children's Health Insurance Program (CHIP), among other things. Earlier this week, President Trump struck a deal with Democratic leaders to temporarily address these issues and combined these short-term extensions to a bill providing federal support for victims of Hurricanes Harvey and Irma. In addition to the \$15 billion in emergency relief response and recovery efforts, the legislation, H.R. 601) temporarily funds federal agencies and programs, increases the nation's debt limit and extends the National Flood Insurance Program through Dec. 8.

The House passed the original bill (hurricane relief only) on Wednesday by a vote of 419 to 3. The Senate added additional emergency response money and the other provisions and then approved the modified bill by a vote of 80 to 17 yesterday. The House passed the Senate version of the bill today by a vote of 316 to 90. The bill will now be sent to President Trump for his signature.

Time Running Out in Senate for Obamacare Repeal

Last week, the Senate parliamentarian notified Senate Republicans that they only have until the end of the month to use the FY 2017 reconciliation measure, which provides expedited consideration and other procedural protections, to repeal the Affordable Care Act. After that, the Senate would need to consider any such bills under "regular order," meaning opponents could use the filibuster and other procedural maneuvers to slow down, or kill, any health care reform proposals. Republicans could use an FY 2018 budget reconciliation bill to address ACA repeal, but that is unlikely since they prefer to use that vehicle for expedited consideration of tax reform instead.

Although there has been some discussion of trying to move a plan crafted by Sens. Bill Cassidy (R-LA) and Lindsey Graham (R-SC) (keep most of the ACA taxes in place, allow states to choose between keeping their ACA programs or opting for block grant funding,

eliminate the individual and employer mandates, reimburse Medicaid using per-capita allotments, allow states to define what qualifies as an Essential Health Benefit, etc.), it is unlikely the Senate will be able to take action on this bill before the end of the month.

Senate Committee Examines Individual Insurance Marketplace Stabilization

Earlier this week, the Senate Health, Education, Labor and Pensions (HELP) Committee held two hearings to discuss ways to stabilize the individual market for consumers and insurers. The first panel consisted of state insurance commissioners from TN, WA, PA, AK and OK. The second hearing included governors from TN, MA, CO, MT and UT. Both groups called for consistent funding for Cost-Sharing Reduction (CSR) payments used to off-set deductibles, copayments and coinsurance of consumers who purchase health insurance in the individual marketplace, as well as recommended Congress fund reinsurance programs to cover high-cost patient expenses and provide states with greater flexibility to seek and implement [Section 1332] waivers to the Affordable Care Act requirements. These recommendations received mixed reviews from members of the HELP committee. Committee Chairman Lamar Alexander (R-TN) has stated a compromise measure that funds CSRs must also give states more flexibility, but Democrats have signaled their opposition to any deal that would allow states to roll back key coverage protections. Alexander has also ruled out establishing a federal reinsurance program. However, the committee still has two additional hearings scheduled next week to hear from policy specialists and health plans/systems before a compromise must be reached (if they intend to move a bill before the end of the month).

Senate Committee Looks at Children's Health Insurance Program (CHIP)

The Senate Finance Committee held a hearing this week to discuss the future of the [Children's Health Insurance Program](#), the federally-backed program that provides nearly 9 million U.S. children with insurance coverage. The program faces a rapidly-approaching deadline as federal funding expires on September 30, 2017 (CHIP was last reauthorized in 2015 as a part of the law that repealed the Sustainable Growth Rate (SGR), the Medicare Access and CHIP Reauthorization Act of 2015). While CHIP has traditionally enjoyed bipartisan support and committee members agree it needs to be funded, the hearing provided little clarity on how exactly the Senate plans to do so under this looming deadline. Fundamental questions remain unanswered – legislators have not yet agreed on whether to reauthorize the program for a longer period or simply extend funding temporarily, though it appears that Finance Committee Chairman Orrin Hatch (R-UT) and Ranking Member Ron Wyden (D-OR) may push for a longer-term extension as suggested by the hearing witnesses and state program administrators. Additionally, it is unclear whether the funding bump provided to the program under the Affordable Care Act (ACA) will survive the ongoing negotiations. Despite these unresolved issues, both the House and Senate have indicated they are eager to at the very least extend funding the program before it expires at the end of the month.

Senate Appropriators Approve HHS Spending Bill

On Thursday, the Senate Appropriations Committee approved the FY 2018 Labor, Health and Human Services, and Education (Labor-HHS) Appropriations bill by a vote of 29 to 2. The \$164 billion bill includes: \$36 billion (+ \$2 billion compared to FY 2017) for NIH; \$7

billion (- \$80 million) for the CDC; \$816 million(+ \$15 million) split between CDC, SAMHSA and HRSA for opioid misuse programs; \$20 million (same) for Emergency Medical Services for Children (EMSC); \$1.5 billion (same) for Community Health Centers; \$161 million (+ \$4.5 million) for rural health care; \$19.8 million (+ \$1 million) for Poison Control Centers; \$305 million (+ \$5 million) for Children’s Hospital GME; \$1.2 billion (same) for mental health programs; and \$21 million (+ \$2 million) for victims of human trafficking. Additionally, the bill defunds the Independent Payment Advisory Board (IPAB) again in FY 18.

Advocate for Emergency Medicine on Nov. 1 at “White Coat Day” During ACEP17

Take advantage of the opportunity to follow up with your legislators since attending the ACEP Leadership and Advocacy Conference in March or start a dialogue with your federal legislators on issues of importance to emergency medicine and patients.

We will start the day with an Advocacy Briefing session and shuttle buses will take participants directly to Capitol Hill. Transportation back to the hotel is on your own. ACEP staff will schedule your Hill visits in advance with the assistance of Soapbox Consulting. Participants will be matched by your home address to your U.S. Representative and two U.S. Senators. All participants will attend meetings in groups and all members from a particular state will meet with their U.S. Senators together. Participants will receive their schedule at the training and will be provided with briefing materials to “leave behind” with legislators and their staff. The materials will highlight the specialty of emergency medicine and issues of concern currently pending in Congress.

- **8:00 am - 9:30 am** - Breakfast with a key Congressional speaker (will be announced soon) and advocacy training.
- **9:30 am** - Buses depart to Capitol Hill. Once on the Hill, a group photo will be taken on the lawn of the Capitol. Please bring your white coat for the photo and to wear on your visits.
 - **10:00 am - 3:00 pm** - Hill Visits with Members of Congress.

Although the event is free, we are asking participants to register in advance.

Participants can add the White Coat Day to their schedule when they register for ACEP17, or you can [log back in to update an existing schedule](#) if already registered. (White Coat Day is located under the Special Events section of the registration site).

You can also attend White Coat Day on Capitol Hill if you are not registered for ACEP17 by [signing up here](#).



More information is also available on the [ACEP Advocacy Page](#).

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 © 2017 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](#).