



**March 15, 2019**

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[\*\*HHS Secretary Azar Makes Rounds on Capitol Hill for President's FY20 Budget, Announces New FDA Commissioner\*\*](#)

This week, Health and Human Services (HHS) Secretary Alex Azar spent a busy week on Capitol Hill testifying before Congress on the Administration's fiscal year 2020 budget proposal, "[A Budget for a Better America.](#)" A summary and additional details on the FY2020 budget request can be found in a separate item below.

Secretary Azar testified before the [House Committee on Energy and Commerce](#) on Tuesday, the [House Committee on Appropriations Labor/HHS Subcommittee](#) on Wednesday, and the [Senate Committee on Finance](#) on Thursday morning.

Secretary Azar did deliver one unexpected announcement regarding the new acting Commissioner for the Food and Drug Administration, revealing that Norman "Ned" Sharpless, MD, will head the agency when current FDA Commissioner Scott Gottlieb leaves his post at the end of this month. Dr. Sharpless currently serves as the Director for the National Cancer Institute (NCI). It is unclear if Dr. Sharpless will be nominated to serve permanently or if the Administration will seek a different individual to head the FDA in a more permanent fashion.

[\*\*House Energy and Commerce Committee Holds Drug Pricing Hearing\*\*](#)

On Wednesday, the House Committee on Energy and Commerce Subcommittee on Health held a legislative hearing titled, "[Lowering the Cost of Prescription Drugs: Reducing Barriers to Market Competition.](#)"

The committee discussed several bills targeted at lowering drug prices, with emphasis on encouraging greater access to and timely approval of generic drugs. While several of the bills in question were introduced with bipartisan support, the hearing featured significant pushback from several Republican members who shared concerns about the unintentional effects that the bills could have in delaying generic drug competition.

Drug pricing is expected remain be a key piece of bipartisan congressional and administrative efforts to address health care costs, though Wednesday's hearing showed that the process may not be as smooth as some had hoped.

[\*\*FDA Issues New Draft E-Cigarette Guidance\*\*](#)

On Wednesday, the Food and Drug Administration (FDA) issued its much-anticipated draft guidance on e-cigarettes, continuing to build upon one of outgoing Commissioner Scott Gottlieb's longstanding priorities within the agency. Gottlieb's efforts to stem the growth of e-cig use, especially among youth, have been remained aggressive throughout his tenure.

The draft guidance attempts to further limit youth access to e-cigs as well as flavored cigar products, and advances policies toward the aim of eliminating some flavored e-cig and cigar products from the market entirely.

You can read Commissioner Gottlieb's full statement on the policy [here](#).

### **[President Trump Releases FY 2020 Budget](#)**

On Monday, the President released his [FY 2020 President's Budget](#). In all, the Budget proposes over \$2.7 trillion in spending reductions across federal programs.

The Budget lays out the President's priorities for the next fiscal year and includes numerous legislative proposals that he hopes Congress will adopt.

Of note, the Budget [calls for significant cuts in federal Medicare spending over ten years](#). These cuts would in part stem from lower payments to hospitals and a renewed focus on targeting fraud and abuse in the program. As part of this effort, the Budget calls for "realigning incentives through site-neutral payment reform," which would involve paying the Medicare physician fee schedule rate to off-campus hospital outpatient facilities, including emergency departments, for services that could also have been performed in a doctor's office.

Regarding Medicaid, the budget would eliminate \$1.5 trillion in funding for Medicaid expansion under the Affordable Care Act and restructure Medicaid into a block grant program. The budget also proposes to give states the option charge higher copays to Medicaid recipients for the non-emergency use of hospital EDs—a proposal that ACEP does not support.

The Budget includes an additional \$12 billion in cuts to health programs, including current initiatives and grants operated by the National Institutes of Health, the Centers for Disease Control and Prevention, and the Health Resources and Services Administration.

Beyond these major reductions, the Budget does include some investments in key areas. It provides nearly \$300 million to end the HIV epidemic. It also includes an increase of \$10 million for the Strategic National Stockpile to enhance medical preparedness for chemical, biological, radiological, and nuclear threats. Finally, it fully supports implementation of the VA MISSION Act and provides essential investments in the VA's electronic health record system.

### **[ACEP 911 Network Members – We Need Your Help to Influence the new 116th Congress](#)**

With the 116th Congress underway and over 100 new lawmakers in office, we are taking a comprehensive look at our 911 Network to identify ACEP members around the country whom we consider "grass tops" members of the Network. These ACEP members have established, strong working relationships with their federal legislators and a line of consistent communication through telephone, text, email, social media and or personal meetings. The relationships may originate from:

- repeated meetings in DC during LAC;
- hosting an ED visit or coffee for that legislator;
- getting to know the legislator's staff;
- delivering a NEMPAC check or representing NEMPAC at a local event for that legislator;
- knowing them first on the state level;
- a relative or friend in your community; or
- other contacts.

We will deploy the "grass tops" when we need immediate, targeted action on an issue.

Please let us know if you would like to be included on the list and the legislator to whom you are connected. We will be sending you a confirmation email later next month as we will be reaching out to our grass tops in the future through a special communication network under development now.

Contact [Jeanne Slade](#) or [Caitlin Demchuk](#) with your information or if you have questions.

**[Register Today for the 2019 ACEP Leadership and Advocacy Conference in Washington, DC](#)**

If you want to make a difference or aspire to be a leader in emergency medicine, this is a must-attend conference with something for everyone. The conference is May 5-8 in Washington, DC. Attendees will have many opportunities to interact with elected officials and policymakers, and network with emergency medicine's top leaders.

This conference will highlight reimbursement issues in EM and how we can work with Congress to improve the EM work environment along with combatting insurance company bad behavior and addressing patient access issues.

LAC 2019 will also bring back Wednesday's Solutions Forum, where this year we will present and discuss emergency medicine-led solutions in telemedicine and the mental health crisis.

For more information, please go to <https://www.acep.org/lac/>



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