



ACEP 911 Network Weekly Update June 9, 2017

Both the House and Senate will be in session next week.

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ACEP President Becky Parker in DC for Timely Senate Discussions

This week, ACEP President Rebecca Parker, MD, FACEP, met with several key Senators in Washington, DC, to discuss that chamber's work on developing a repeal and replace alternative for the Affordable Care Act (ACA). These lawmakers, which included Sens. Bill Cassidy (R-LA), Jeff Flake (R-AZ) and Shelley Moore Capito (R-WV), are heavily involved with developing the Senate health care reform plan and these meetings provided ACEP with an opportunity to further discuss our Emergency Medicine Health Care Reform Principles and the importance of maintaining the Essential Health Benefits as well as upholding the federal Prudent Laysperson Standard. Dr. Parker also expressed concern with the House-passed bill's assessment that 23 million Americans would be uninsured by 2026 and urged the Senators to maintain expanded coverage for Americans, including those on Medicaid.



Dr. Rebecca Parker with Senator Bill Cassidy (R-LA), Senator Shelley Moore Capito (R-WV), and Senator Jeff Flake (R-AZ).

Senate Health Care Reform Efforts

As previously reported, the Senate is crafting its own modifications to the ACA and does not intend to use the House-approved "American Health Care Act" as its base text, although some provisions may be included in both bills. Senate Republicans are trying to draft their

bill and possibly vote on it by the end of the month. Until there is more clarity about the specific provisions in the bill, it is uncertain if Republicans will have enough votes to pass their proposal as it is expected they will receive no support from Senate Democrats (meaning they can only lose two Republicans).

Dr. Parker also met with Sen. Ben Cardin's (D-MD) office to specifically discuss current efforts by insurers at the state level, in Missouri and Georgia, to erode Prudent Layperson protections. We discussed combined efforts to raise this concern with lawmakers from these states and with HHS. Sen. Cardin is very concerned with these latest developments as he was the primary sponsor of the effort to incorporate the PLS into federal law.

Dr. Parker's Capitol Hill visits were one part of ACEP's ongoing efforts to work with the Senate to ensure care and coverage for emergency services is protected and available to all Americans when and where they need it.

House Panel Advances FDA Bill

On Wednesday, the House Energy and Commerce Committee voted 54-0 to advance legislation (HR 2430) that would reauthorize the FDA prescription drug user fee act, moving it a step closer to approval by the full House of Representatives. The legislation reauthorizes user fee agreements under which the pharmaceutical industry pays fees to the FDA to assist with the drug approval process. The bill also re-ups the user fee programs for generic drugs, medical devices, and biosimilar drugs. As expected, the committee deliberations provided

Members the opportunity to discuss broader prescription drug concerns, including medication costs, prescription drug re-importation and manufacturers efforts to limit generic competition.

Committee Chairman Greg Walden (R-OR) said the legislation would speed drug approvals and competition in the market, including language by Reps. Bilirakis (R-FL) and Schrader (D-OR) to provide incentives for manufacturers to develop generic drugs in cases where there is limited competition for brand name products. For further details on the mark-up, click [here](#).

Additional Cosponsors Added to EMTALA Liability Bill

The "Health Care Safety Net Enhancement Act" (H.R. 548/S. 527), re-introduced in this Congress by Rep. Charlie Dent (R-PA) and Sen. Roy Blunt (R-MO), has garnered additional support in the House since last reported. The ACEP-supported bill addresses the growing crisis in access to emergency care by providing emergency and on-call physicians who perform EMTALA-related services with temporary protections under the Federal Tort Claims Act. The most recent cosponsors include: Reps. Brad Wenstrup (R-OH), Lloyd Smucker (R-PA) and Dutch Ruppersberger (D-MD).

Secretary Price Discusses FY2018 Budget Proposal

HHS Secretary Tom Price in back-to-back congressional hearings yesterday declined to say whether the Trump Administration would continue paying insurers cost-sharing subsidies called for under the Affordable Care Act (ACA). Dr. Price, in testimony before the Senate Finance Committee and the House Ways and Means Committee, also discussed the

administration's fiscal year 2018 budget proposal for HHS and cited a need to reform federal programs, such as Medicaid, to reign in rising costs. To view the Senate Finance Hearing, click [here](#). To view the House Ways and Means Hearing, click [here](#).

Hearings Next Week

6/13 – Senate Health, Education, Labor, and Pensions Committee Hearing “The Cost of Prescription Drugs: How the Drug Delivery System Affects What Patients Pay;” details [here](#).

6/13 – House Committee on Rules will meet on the following measure: H.R. 1215 – Protecting Access to Care Act of 2017; details [here](#).

6/14 – House Energy and Commerce Health Subcommittee hearing “Examining the Extension of Safety Net Health Programs;” more information [here](#).

6/15 – Senate Appropriations Labor, Health and Human Services, Education, and Related Agencies Subcommittee Hearing to review the FY2018 budget request for the U.S. Department of Health and Human Services; a list of witnesses can be found [here](#).



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