



**Both chambers return Monday, Jan. 29. On January 30, President Trump will give his State of the Union address and Representative Joseph P. Kennedy III has been tapped by Democratic party leaders to deliver the official Democratic response.**

### [ACEP Capital Minute](#)

[Click here](#) to see ACEP Associate Executive Director Laura Wooster’s quick update on current topics being considered by the U.S. Congress this week and other political matters including: the end of the three-day federal government shutdown; ACEP President Dr. Paul Kivela’s visit to Washington; an ACEP/EMRA joint statement on the HHS conscience rule; and, ACEP’s new video that puts the spotlight on Anthem BCBS and their dangerous emergency care policy.

Also – if you haven’t already done so, [please subscribe](#) to ACEP’s YouTube Channel!



### **Congress Approves Another Short-Term Funding Bill**

After senators were unable to reach an agreement last Friday on a plan to keep federal agencies and programs funded, the government shutdown at midnight. The closure continued through the weekend and on Monday, an agreement was reached to temporarily keep operations going until Thursday, Feb. 8. The main sticking point that caused the initial impasse was related to U.S. immigration policies.

**In addition to funding the government through early February, Monday’s deal (H.R. 195) also included two ACEP-supported programs, a six-year authorization for the Children’s Health Insurance Program (CHIP) and another two-year delay in implementing the**

**Affordable Care Act tax on high-value employer-sponsored health benefits (a.k.a. the “Cadillac tax”).** H.R. 195 also delays the medical device tax for two years as well.

The Senate approved the measure Monday evening by a vote of 81 to 18 and then sent it to the House, which approved it by a vote of 266 to 150. President Trump signed it into law (P.L. 115-120) shortly thereafter.

#### **ACEP President Meets with CMS and U.S. Lawmakers**

On Wednesday, ACEP President Paul Kivela, MD, MBA, FACEP, had a very positive meeting with key policymakers at CMS’ headquarters to discuss EMTALA requirements for psychiatric patients in the emergency department. **ACEP is seeking clarification on how CMS is defining “stable” psychiatric patients so as not to put emergency physicians in civil jeopardy for an EMTALA violation.** We will continue to work with CMS on this issue and share the final analysis and guidance with ACEP members when it is available.

**Dr. Kivela met with Sen. Chris Coons’ (D-DE) office to discuss end of life care and to reiterate ACEP’s support for his bill, the “Medicare Choices Empowerment and Protection Act” (S. 1530), which would incentivize seniors to electronically submit their advance directives to a national database.** He also mentioned ACEP will focusing on this important issue as part of its “Solutions Summit” during the 2018 Leadership and Advocacy Conference (LAC) in Washington, D.C. on Wednesday, May 23.

**He also met with Sen. Bill Cassidy (R-LA) to discuss S.1530 (Dr. Cassidy’s the lead Republican on the bill), psychiatric boarding in the emergency department, ACEP’s interest in the Senate’s reauthorization of the Pandemic and All Hazards Preparedness Act (PAHPA), and out of network billing for emergency services.** During the meeting, Dr. Cassidy agreed to address ACEP members during LAC to provide an update on the latest health care initiatives being considered by Congress. He will be speaking at 8:45 a.m. on Tuesday, May 22.



### HHS Secretary Nominee Confirmed

On Wednesday, the Senate formally approved Alex Azar's nomination to become the next Secretary of the U.S. Health and Human Services (HHS) Department by a vote of 55 to 43. All Republicans supported Mr. Azar, except Sen. Rand Paul (R-KY), and they were joined by Sens. Tom Carper (D-DE), Chris Coons (D-DE), Joe Donnelly (D-IN), Heidi Heitkamp (D-ND), Doug Jones (D-AL), Joe Manchin (D-WV) and Angus King (I-ME). **ACEP sent a letter to Secretary Azar yesterday congratulating him on his confirmation, advising him that any national health care policies must provide both coverage and access, and calling on him to uphold important consumer protections so that patients are not discouraged from seeking necessary emergency medical care.**

### Hearings

On Tuesday, the Senate Health, Education, Labor and Pensions (HELP) Committee held its second hearing in preparation for the reauthorization of the Pandemic and All Hazards Preparedness Act (PAHPA). To watch the hearing, [click here](#).

On Thursday, the Senate Homeland Security Investigations Subcommittee held a hearing entitled: "Combatting the Opioid Crisis: Exploiting Vulnerabilities in International Mail." [Click here](#) to view the hearing.



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