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#### **Congress is Back, Surprise Billing Debate is Heating Up**

Now that Congress has returned from its August recess, discussions are continuing around the issue of surprise medical bills. Thank you to all of the 911 Network members that have been sending emails, posting on social media, and meeting with federal legislators and their staff to educate them on this complex issue and advocate for the best solution that protects access for patients and your livelihood as a practicing emergency physician.

We are working diligently on behalf of all emergency physicians and continue to be concerned by several proposals currently being debated in Congress. Not only will they fail to adequately solve surprise bills for emergency patients, they could severely affect small emergency physician practices and threaten access to the vital health care safety net they provide for patients—particularly in rural and underserved communities. We continue to advocate for a federal solution to protect patients from out-of-network surprise billing that avoids any unintended consequences to the broader health care system. Click here to see our [September 11 press release](#) on the latest activity and ACEP's representation of your interests.

Your grassroots efforts are vital in helping us fight misperceptions spread by "independent experts" and insurance industry coalitions as Congress nears mark-ups and votes on proposed bills. We are debunking flawed research, emphasizing that ACEP, and physicians from many specialties, have been solutions-oriented from the start of these conversations. You can help by replying, retweeting and sharing accurate data to combat the spread of misinformation by Zach Cooper, Loren Adler, @NoSurpriseBills and others. The more people hear directly from you the stronger everyone's arguments become.

[Click here for more information about ACEP's surprise billing advocacy efforts and how you can help.](#)

[Click here](#) to send an editable message to your legislators.

#### **House Committee Marks Up Firearms Legislation**

On Tuesday, the House Committee on the Judiciary held a markup of several bills, including firearms-violence related legislation partially in response to the mass shootings where fifty-three people were killed during August alone. The bills represent a continued push by the Democratic Majority to address the issue of firearms violence in the U.S.

The bills included H.R. 1236, the "Extreme Risk Protection Order Act of 2019," H.R. 1186, the "Keep Americans Safe Act," and H.R. 2708, the "Disarm Hate Act." H.R. 1236 would establish federal grants to encourage states to adopt "red flag" laws that would allow family members and law enforcement

to petition courts to intervene and remove firearms when an individual may be thought to be a danger to themselves or others. H.R. 1186 would ban the sale, transfer, or possession of high-capacity magazines (magazines that hold more than 10 rounds), with exemptions for those already legally owned before enactment of the bill or for law enforcement. Finally, H.R. 2708 would prohibit individuals who have been convicted of misdemeanor-level hate crimes or have received a hate crime sentencing enhancement from purchasing or possessing firearms (and only to those convicted of underlying crimes that pose a public safety risk due to use of force, threatened use of a deadly weapon, or other credible threat, etc.).

The bills now await further consideration by the full House of Representatives. Meanwhile, Senate Democrats continue to push the Republican Majority to move on some firearms legislation, but Majority Leader Mitch McConnell has said he will not bring any legislation to the floor that President Trump will not sign. Though some discussions are ongoing, it appears unlikely that the President will push for firearms-specific legislation, but rather may be leaning toward a mental health approach.

ACEP continues to advocate on this issue per our [Firearms Safety and Injury Prevention](#) policy, and you can read a recent update from ACEP President Vidor Friedman, MD, FACEP, detailing ACEP's ongoing work in this area [here](#).

### **Congressional Appropriations Hit a Snag; CR Expected**

Earlier this week, negotiations between Senate appropriators hit a familiar roadblock due to partisan disagreements over abortion. While the Appropriations Committee had intended to markup the fiscal year (FY) 2020 appropriations packages for Labor-HHS-Education and State-Foreign Operations, those plans were scrapped as legislators attempted to resolve the breakdown in negotiations.

Though Congress was able to pass a two-year budget agreement, it still needs to pass all twelve annual appropriations bills required to fund the government. The House has passed ten of the twelve, and the Senate still has yet to bring a single FY2020 appropriations bill to the floor. With the end of the fiscal year and the deadline to fund the government rapidly approaching on September 30, a short-term Continuing Resolution (CR) is expected to give legislators some breathing room likely until mid-November and avoid another government shutdown. While some are hopeful that an appropriations deal can be reached at least on some of the twelve bills, others expect at least several other CRs until after the 2020 elections.

### **Regs & Eggs: Regulatory Affairs Blog**

ACEP has a blog focused on federal regulatory affairs, "[Regs & Eggs.](#)" Every Thursday morning, while you're eating your breakfast, ACEP's Director of Regulatory Affairs, Jeffrey Davis, provides a weekly update on major federal regulations impacting emergency medicine.

The Substance Abuse and Mental Health Services Administration (SAMHSA) recently released a proposed regulation that would modify 42 CFR Part 2, which governs the confidentiality of patient records for the treatment of substance use disorder. As ACEP begins to review the regulation, we would love to hear your thoughts on the specific changes SAMHSA proposes. Check out this week's [Regs & Eggs blog](#) to learn more!



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