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Capital Minute

Here's a new edition of ACEP's Capital Minute <https://www.youtube.com/watch?v=650yRT0GwNo> or click on the blue box below to view.



No Agreement Yet to Avert Shutdown, But Progress Being Made

Congressional negotiators have not yet reached a deal on border security that would avoid another partial government shutdown on Feb. 15, but Democrats and Republicans have been busy trading offers and public statements suggest an agreement can be reached. However, it remains unclear what the president will accept or whether Congress can resolve their differences and pass the legislation in both chambers before next Friday. Another short-term funding bill is also being considered if negotiators seem close to finalizing a deal.

House Committee Holds First Hearing on Firearms in Nearly 8 Years

On Feb. 6, the House Judiciary Committee held a hearing, "[Preventing Gun Violence: A Call to Action](#)," marking the panel's first hearing on firearms violence related issues in nearly eight years. The committee heard from a wide array of witnesses representing law enforcement officials, advocacy groups, and survivors of firearms violence, including Aalayah Eastmond, a student at

Marjory Stoneman Douglas High School in Parkland, FL who survived the 2018 mass shooting that claimed 17 lives, and Dr. Joseph Sakran, a Baltimore-based trauma surgeon who survived a gunshot wound to the throat at the age of 17.

The hearing was heated at times, highlighted when several parents of the students killed in Parkland directed outbursts at Rep. Matt Gaetz (R-FL), after he suggested that one possible solution to firearms violence is a wall on the Southern border. Gaetz asked that the individuals be removed from the committee room, but Chairman Jerry Nadler (D-NY) ultimately declined to do so.

The new Democratic majority in the House has made addressing firearms-related violence and injury one of their legislative priorities, with the Judiciary Committee set to mark-up Rep. Mike Thompson's (D-CA) legislation on expanding background checks next week, and the full House expected to consider that legislation by the end of the month. However, Democrats and Republicans are still clearly on opposite sides of the issue, and any such legislation highly unlikely to be considered in the GOP-controlled Senate.

House Committee Discusses Implications of Legal Challenge to ACA

Also on Wednesday, the House Energy and Commerce Health Subcommittee held a hearing about the lawsuit filed challenging the constitutionality of the ACA's individual mandate and the law in its entirety. The lawsuit, *Texas v. the United States of America*, was filed a year ago by the State of Texas and 19 other states. The plaintiffs argued that because the 2017 tax reform bill eliminated the individual mandate penalty for not maintaining health insurance, the requirement to have health insurance was no longer enforceable as a tax and was therefore unconstitutional. Furthermore, they argued that without the individual mandate was so integral to the ACA, without it, the entire law should be invalidated. In December 2018, the federal district court sided with the plaintiffs and struck down the ACA in its entirety.

The hearing was held to discuss the ramifications of the court ruling if it stands on appeal.

Click [here](#) to view the hearing.

House Committee Examines Family Separations at Border

On Feb. 7, the House Energy and Commerce Oversight and Investigations Subcommittee held the first in a series of hearings investigating the Trump Administration "zero tolerance" policy that separated thousands of immigrant families at the border last year. The hearing specifically focused on the Department of Health and Human Services' (HHS) role in caring for the separated children. The HHS Office of Refugee Resettlement took custody of the separated children but had no role in developing the policy, which was crafted by the Department of Homeland Security and then-Attorney General Jeff Sessions.

Criticism of the separation policy and its impact on families was bi-partisan.

Click [here](#) to view the hearing.

Advocacy Efforts to Engage the New 116th Congress

ACEP is mounting an aggressive push to connect ACEP members back home with as many of the 110 new members of Congress and legislators who are new to important health care committees. We will be setting up local meetings between ACEP 911 Network members and the new members to introduce them to emergency medicine and our role in the health care delivery system and to establish a local contact in the health care space. The meetings will most likely be 30 minutes or less and we will provide tips for the hosting ACEP member as well as a [fact sheet](#) for the legislator. If you are interested in hosting or participating in one of these meetings, please contact [Jeanne Slade](#) or

[Caitlin Demchuk](#) in the ACEP Washington DC office for more details.

Please "Save the Date" for the 2019 ACEP Leadership and Advocacy Conference in Washington, DC which will be held May 5-8, 2019. 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. Opportunities abound 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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