



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

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Senate Working Towards Vote on Latest ACA Repeal Before Deadline

As we previously reported, the Senate parliamentarian notified Senate Republicans that they have until the end of next week to pass a bill modifying the Affordable Care Act (ACA) using procedural protections allowing them to pass with only 50 votes, rather than the usual 60. The looming deadline has put additional pressure on the Republican leadership and members to act and fulfill their seven-year promise to repeal the ACA, especially after their failed attempt in July and the resulting ire many Republican members faced from constituents during the August work period.

This last effort is focused on the proposal drafted by Sens. Lindsey Graham (R-SC), Bill Cassidy (R-LA), Dean Heller (R-NV) and Ron Johnson (R-WI), which would be offered as an amendment to the House-approved "American Health Care Act" that the Senate previously debated in July. If enacted, this legislation would end the individual and employer mandates, keep most of the ACA taxes in place, end state Medicaid expansions, combine federal subsidies into one block grant for states, alter traditional Medicaid into a per-capita reimbursement system that drastically reduces funding for many states, and make it easier for states to obtain waivers that could nullify coverage for emergency services and other essential health benefits, as well as premium limits for individuals with pre-existing conditions, among other things.

Sen. John McCain (R-AZ) announced today that he will vote against the amendment potentially dooming the legislation. McCain's announcement leaves GOP leadership with no room for error. They need 50 Republican senators to support the legislation as all Democratic Senators will vote against it. Sen. Rand Paul (R-KY) has already said he will vote no. Sen. Susan Collins (R-ME) on Friday said she is leaning against the bill and Sen. Lisa Murkowski (R-AK) continues to express her concerns with the bill. If Senate Republicans can get to 50 "yes" votes, then Vice President Mike Pence (R), acting in his role as President of the Senate, would be able to cast the tie-breaking vote in favor of the measure.

The Senate Finance Committee is scheduled to hold a hearing on the Graham-Cassidy-Heller-Johnson proposal on Monday afternoon and Senate Majority Leader Mitch McConnell (R-KY) has announced it is his intention to hold a vote next week, although there is still

some uncertainty if he will proceed if Republicans do not have 50 guaranteed votes.

ACEP, most other health care organizations, [10 bi-partisan governors, and all 50 state Medicaid directors have expressed their opposition to the amendment.](#)

[Click here](#) to read ACEP's message and to urge your senators to vote "NO" on the Graham-Cassidy-Heller-Johnson amendment.

ACEP's Capital Minute with Dr. Paul Kivela, ACEP President-Elect
What's ACEP currently doing for emergency physicians and their patients in Washington, D.C.?

[Click here to see the short video featuring ACEP President-elect Paul Kivela.](#)

Trump Administration Considers Changes to CMS' Innovation Center

In a [Request for Information \(RFI\)](#) posted Wednesday, the CMS said it is "setting a new direction" for the Center for Medicare and Medicaid Innovation (CMMI). This is the division of the agency that has historically tested new payment models such as patient-centered medical homes, bundled payment demonstrations, ACOs, etc.

That doesn't mean the new administration is looking to move away from value-based payment models in general. In a recent [Wall Street Journal op-ed](#), CMS Administrator Seema Verma said the agency wants to "shift away from a fee-for-service system that reimburses only on volume and move toward a system that holds providers accountable for outcomes and allows them to innovate."

"The complexity of many of the current models might have encouraged consolidation within the health-care system, leading to fewer choices for patients. Strengthening Medicare and Medicaid will require health-care providers to compete for patients in a free and dynamic market, creating incentives to increase quality and reduce costs," Verma wrote.

The request asks for input on eight focus areas:

- increased participation in advanced alternative payment models,
- consumer-directed care and market-based innovation models,
 - physician specialty models,
 - prescription drug models,
- Medicare Advantage innovation models,
 - state-based and local innovation,
- mental and behavioral health models, and;
 - program integrity.

Under the description of the consumer-directed care focus area, the RFI suggests that CMS might be considering allowing Medicare beneficiaries to enter into private contract arrangements with their provider—a concept current HHS Secretary Tom Price, MD was a vocal proponent for while in Congress. The RFI also indicates CMS might offer more incentives to encourage beneficiaries to join private payer-led Medicare Advantage plans.

Democrats and other experts have said the language suggests a shift towards the controversial “premium support” model long favored by many Republicans.

ACEP is analyzing the proposal and will develop a response to submit to CMS at the end of November.



**Advocate for Emergency Medicine at “White Coat Day” on Nov. 1
during ACEP 17**

Take advantage of the opportunity to follow up with your legislators since attending the ACEP Leadership and Advocacy Conference in March or start a dialogue with your federal legislators on issues of importance to emergency medicine and patients.

We will start the day with an Advocacy Briefing session and shuttle buses will take participants directly to Capitol Hill. Transportation back to the hotel is on your own. ACEP staff will schedule your Hill visits in advance with the assistance of Soapbox Consulting. Participants will be matched by your home address to your U.S. Representative and two U.S. Senators. All participants will attend meetings in groups and all members from the same state will meet with their U.S. Senators together. Participants will receive their schedule at the training and will be provided with briefing materials to “leave behind” with legislators and their staff. The materials will highlight the specialty of emergency medicine and issues of concern currently pending in Congress.

7:00 am - 9:45 am - Breakfast with a key Congressional speaker (will be announced soon) and advocacy training

10:00 am - Buses depart to Capitol Hill. Once on the Hill, a group photo will be taken on the lawn of the Capitol. Please bring your white coat for the photo and to wear on your visits.

11:00 am - 3:00 pm - Hill Visits with Members of Congress.

Although the event is free we are asking participants to register in advance.

Participants can add the White Coat Day to their schedule by [signing up here](#).



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