

LEGISLATIVE AND REGULATORY UPDATE

May 23, 2016

Week in Brief

Supreme Court [Vacates](#) and Remands Contraceptive Mandate Cases.

House [Passes](#) H.R. 5243, the *Zika Response Appropriations Act*, a Bill Providing \$622.1 Million to Combat the Zika Virus.

House [Passes](#) H.R. 4974, *Military Construction and Veterans Affairs and Related Agencies Appropriations Act for FY 2017*, Containing \$81.6 Billion in Funding.

EEOC [Issues](#) Final Rule to Amend Regulations Implementing Title II of the Genetic Information Nondiscrimination Act of 2008 as Related to Employer-Sponsored Wellness Programs.

WHITE HOUSE UPDATE

May 17

President Obama [Announces](#) Department of Labor Will Finalize Overtime Protections Rule.

May 18

President Obama [Declares](#) May 15th - May 21st as Emergency Medical Services Week.

LEGISLATIVE UPDATE

May 16

House Energy & Commerce Republican Leadership [Send](#) a Follow-up Letter to HHS and CMS Requesting Information on the ACA's Transitional Reinsurance Program.

May 17

Senate HELP Ranking Member Patty Murray (D-WA) and House Education & the Workforce Ranking Member Bobby Scott (D-VA) [Praise](#) Department of Labor Announcement of Final Overtime Rule; Expanded Overtime Benefits Will Impact 4 Million Employees in the U.S., Including Health Care Workers.

May 17

Senate Veterans' Affairs Chairman Johnny Isakson (R-GA) and Ranking Member Richard Blumenthal (D-CT) [Announce](#) Progress on S. 2921, the *Veterans First Act*, a Bill to Change the Culture at the VA and Improve Accountability.

House Conferees Announced for Effort to [Finalize](#) Opioid Package with Senate.

May 18

House Energy & Commerce Republican Leadership [Send](#) Letters to 11 CO-OPs Requesting Update Information.

House Ways & Means Health Subcommittee Chairman Pat Tiberi (R-OH) and Health Subcommittee Ranking Member Jim McDermott (D-WA) [Introduce](#) the *Helping Hospitals Improve Patient Care Act*, a Bill to Advance Hospital and Other Medicare Provider Reforms.

May 19

Senate Finance Ranking Member Ron Wyden (D-OR) and HELP Ranking Member Patty Murray (D-WA) [Send](#) a Letter to Labor Secretary Tom Perez and HHS Secretary Sylvia Mathews Burwell Urging Action to Improve Health Data Transparency.

LEGISLATIVE TRACKING

BILL NUMBER/ RELATED BILLS	TITLE or SHORT SUMMARY	ORIGINAL SPONSOR(S)	COMMITTEES	LATEST ACTION
S. 2912/ H.R. 3012	A bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.	Sen. Johnson [R-WI]	HELP	Introduced 5/10/2016
S. 2922	<i>Enhanced Veteran Healthcare Act of 2016</i>	Sen. Whitehouse [D-RI]	Veterans' Affairs	Introduced 5/11/2016
S. 2921	<i>Veterans First Act</i>	Sens. Isakson [R-GA]; and 31 original cosponsors	Veterans' Affairs	Reported out of committee without amendment 5/16/2016

BILL NUMBER/ RELATED BILLS	TITLE or SHORT SUMMARY	ORIGINAL SPONSOR(S)	COMMITTEES	LATEST ACTION
<u>S. 2932</u>	<i>Protecting Patient Access to Emergency Medications Act of 2016</i>	Sen. Cassidy [R-LA]	HELP	Introduced 5/16/2016
<u>S. 2934/</u> <u>H.R. 3411</u>	<i>Fix Gun Checks Act of 2016</i>	Sens. Schumer [D-NY]; Blumenthal [D-CT]; Gillibrand [D-NY]; Murphy [D-CT]; Wyden [D-OR]; and Markey [D-MA]	Judiciary	Introduced 5/16/2016
<u>S. _____</u>	<i>Survivors' Access to Supportive Care Act (SASCA)</i>	Sen. Murray [D-WA]; Shaheen [D-NH]; McCaskill [D-MO]; Gillibrand [D-NY]; Baldwin [D-WI]; Blumenthal [D-CT]; and Boxer [D-CA]	HELP	Introduced 5/18/2016
<u>H.R. 5182/</u> <u>S. 2041</u>	<i>Promoting Life-Saving New Therapies for Neonates Act of 2016</i>	Reps. Long [R-MO-7] and Lujan [D-NM-3]	Energy & Commerce	Introduced 5/10/2016
<u>H.R. 5188</u>	<i>Enhancing Opportunities for Medical Doctors Act of 2016</i>	Rep. Love [R-UT-4]	Ways & Means; Energy & Commerce	Introduced 5/11/2016
<u>H.R. 5195</u>	<i>Breast Cancer Patient Protection Act of 2016</i>	Reps. DeLauro [D-CT-3] and 38 original cosponsors	Energy & Commerce; Ways & Means; Education & the Workforce	Introduced 5/11/2016
<u>H.R. 5219</u>	<i>Safe Medications for Moms and Babies Act of 2016</i>	Reps. Herrera Beutler [R-WA-3] and Castor [D-FL-14]	Energy & Commerce	Introduced 5/12/2016
<u>H.R. 5241</u>	<i>Protecting Seniors from Health Care Fraud Act of 2016</i>	Rep. Ruiz [D-CA-36]	Energy & Commerce; Ways & Means	Introduced 5/13/2016
<u>H.R. 5243</u>	<i>Zika Response Appropriations Act, 2016</i>	Rep. Rogers [R-KY-5]	Appropriations; Budget	Introduced 5/16/2016

BILL NUMBER/ RELATED BILLS	TITLE or SHORT SUMMARY	ORIGINAL SPONSOR(S)	COMMITTEES	LATEST ACTION
<u>H.R. 5249/S. 2678</u>	<i>To direct the NIH to intensify and coordinate fundamental, translational, and clinical research with respect to the understanding of pain, the discovery and development of therapies for chronic pain, and the development of alternatives to opioids for effective pain treatments.</i>	Reps. Capps [D-CA-24]; Ellmers [R-NC-2]; McKinley [R-WV-1]; and Matsui [D-CA-6]	Energy & Commerce	Introduced 5/16/2016
<u>H.R. 5262</u>	<i>Care Veterans Deserve Act of 2016</i>	Reps. Hudson [R-NC-8] and Ruppersberger [D-MD-2]	Energy & Commerce	Introduced 5/17/2016
<u>H.R. 5268</u>	<i>Medicare Beneficiary Enrollment Improvement Act</i>	Rep. McDermott [D-WA-7]	Ways & Means; Energy & Commerce	Introduced 5/17/2016
<u>H.R. 5273</u>	<i>Helping Hospitals Improve Patient Care Act</i>	Reps. Tiberi [R-OH-12] and McDermott [D-WA-7]	Energy & Commerce	Introduced 5/18/2016
<u>H.R. 5284</u>	<i>To eliminate the individual and employer health coverage mandates under the Patient Protection and Affordable Care Act, to expand beyond that Act the choices in obtaining and financing affordable health insurance coverage, and for other purposes.</i>	Rep. Sessions [R-TX-32]	Energy & Commerce; Ways & Means; Education & the Workforce	Introduced 5/19/2016

REGULATORY UPDATE

DEPARTMENT OF HEALTH AND HUMAN SERVICES

May 17

CDC [Issues](#) Report, *Health Insurance Coverage: Early Release of Estimates from the National Health Interview Survey, 2015*.

FDA [Announces](#) Availability of Draft Guidance, *Use of Electronic Health Record Data in Clinical Investigations*.

NIH Director Francis S. Collins and U.S. Secretary of Labor Thomas Perez [Post](#) Op-Ed on Revisions to the Fair Labor Standards Act as it Affects Postdoctoral Researchers.

NIH [Grants](#) \$15 Million to Support Research on Ethical, Legal, and Social Impact of Genomic Information.

May 18

NIH [Issues](#) Statement on HIV Vaccine Awareness Day.

NIH [Names](#) Maureen M. Goodenow, Ph.D., as Associate Director for AIDS Research and Director of the NIH Office of AIDS Research.

May 19

CDC [Shares](#) Resources and Information to Support Hepatitis Testing Day and Awareness Month.

NIH Director Dr. Francis Collins [Discusses](#) the Zika Virus Vaccine and the Importance of Funding Research.

NIH-Funded Study [Finds](#) the “Number of People with Visual Impairment or Blindness in the United States Is Expected to Double to More than 8 Million by 2050.”

OTHER UPDATE

GAO Releases Reports

- [Office of National Drug Control Policy: Progress Toward Some National Drug Control Strategy Goals, but None Have Been Fully Achieved](#). (May 17)
- [Food Safety: FDA Coordinating with Stakeholders on New Rules but Challenges Remain and Greater Tribal Consultation Needed](#). (May 19)

May 13

CRS Releases Report, [Active Opioid Legislation in the House: In Brief](#).

May 19

Health Affairs [Publishes](#) Article, *Mental Disorders Top the List of the Most Costly Conditions in the United States: \$201 Billion*.

MACPAC Unanimously [Passes](#) Policies on Financial Disclosure, Recusal, and Conflict of Interest.

UPCOMING EVENTS

CONGRESSIONAL HEARINGS/MARKUPS

HOUSE

Energy & Commerce

[Medicare and Medicaid Program Integrity: Combating Improper Payments and Ineligible Providers](#)

- May 24 | 10:15 a.m.
2322 Rayburn House Office Building

[Examining Cybersecurity Responsibilities at HHS](#)

- May 25 | 10 a.m.
2123 Rayburn House Office Building

Science, Space & Technology

[Science of Zika: The DNA of an Epidemic](#)

- May 25 | 10:15 a.m.
2318 Rayburn House Office Building

Ways & Means

[Markup on Commonsense Proposals to Advance Hospital Reforms and Improve TANF](#)

- May 24 | 2 p.m.
Longworth House Office Building

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Meeting of the National Institute of Aging Board of Scientific Counselors](#)

- May 24 | 8:15 a.m. – 7 p.m.
- May 25 | 8:15 a.m. – 3 p.m.
National Institute on Aging
Biomedical Research Center
3rd Floor Conference Room
251 Bayview Boulevard
Baltimore, MD 21224
Select sessions open to the public.

[Meeting of the Presidential Advisory Council on HIV/AIDS](#)

- Discussions of Health System Transformations, the Updated National HIV/AIDS Strategy, and food as medicine.
- May 24 | 9 a.m. – 5 p.m.
 - May 25 | 9 a.m. – 12 p.m.
Hubert H. Humphrey Building
Room 800
200 Independence Ave. SW
Washington, DC 20201

National Committee on Vital and Health Statistics: Subcommittee on Privacy, Confidentiality & Security Meeting

Gather industry input on existing guidance and limitations of the de-identification methodologies of protected health information to make recommendations to the Secretary.

- May 24 | 9 a.m. – 5:30 p.m.
- May 25 | 9 a.m. – 5:15 p.m.
Hubert H. Humphrey Building
Room 705A
200 Independence Ave. SW
Washington, DC 20201

Advisory Committee on Interdisciplinary, Community-Based Linkages

Discussion on the next report on enhancing community-based clinical training.

- May 25 | 8:30 a.m. – 5 p.m.
- May 26 | 8:30 a.m. – 3 p.m.
Location TBD
and via webinar

National Advisory Mental Health Council Meeting

Presentation of the NIHM Director's Report and discussion of program and policy issues.

- May 26 | 9 a.m. – 1 p.m.
NIH
Neuroscience Center
6001 Executive Boulevard
Rockville, MD 20852

Meeting of the National Institute of Neurological Disorders and Stroke

Report by NINDS Director, report by the Associate Director for Extramural Research, administrative and program developments, and overview of NINDS Intramural Program.

- May 26 | 8 a.m. – 2:30 p.m.
NIH
Room 10
Building 31, C-Wing, 6th Floor
31 Center Drive
Bethesda, MD 20892

Healthcare Common Procedure Coding System Public Meeting

Discussion on preliminary coding and payment determinations for new public requests for HCPCS revisions.

- June 1 | 9 a.m. – 5 p.m.
- June 2 | 9 a.m. – 5 p.m.
CMS Main Auditorium
Central Building
7500 Security Boulevard
Baltimore, MD 21244

Eunice Kennedy Shriver National Institute of Child Health & Human Development Meeting

Report from the Scientific Director, NICHD, on the status of the NICHD Division of Intramural Research, talks by various intramural scientists, and current organizational structure.

- June 3 | 8 a.m. – 11:30 a.m.
NIH
Conference Room 24A8
Building 31A
31 Center Drive
Bethesda, MD 20892

Meeting of the National Vaccine Advisory Committee

Discussions on the barriers and scientific challenges to the development of new and improved vaccines, a presentation from the NVAC Maternal Immunization Working Group, and an update on immunization priorities at the local level, among other things. Pre-registration is required.

- June 7 | TBD
- June 8 | TBD
Hubert H. Humphrey Building
The Great Hall
200 Independence Ave., SW
Washington, DC 20201

National Advisory Council on Minority Health and Health Disparities Meeting

Discussion of administrative matters, Director's report, NIH Health Disparities update, and other business of the Council.

- June 7 | 8 a.m. – adjournment
NIH
Conference Room 6
Building 31
31 Center Drive
Bethesda, MD 20892

Meeting of the PubMed Central National Advisory Committee

Meeting to review and analyze systems.

- June 7 | 9:30 a.m. - 3 p.m.
National Library of Medicine
The Lindberg Room
Building 38, 2nd Floor
8600 Rockville Pike
Bethesda, MD 20892

National Arthritis and Musculoskeletal and Skin Diseases Advisory Council Meeting

Discussion of program policies.

- June 7 | 8:30 a.m. – 1:15 p.m.
NIH
Building 31, C-Wing, 6th Floor
31 Center Drive
Bethesda, MD 20892

Eunice Kennedy Shriver National Institute of Child Health & Human Development Meeting

Discuss administrative matters, Director's Report, Division of Extramural Research Report, and other business of the Council.

- June 9 | 8:30 a.m. - 12 p.m.
NIH
Conference Room 10
Building 31, C-Wing, 6th Floor
9000 Rockville Pike
Bethesda, MD 20892

Advisory Committee to the Director, NIH Meeting

Reports by NIH Director, ACD Working Group, IC Director.

- June 9 | 9 a.m. – 5 p.m.
- June 10 | 9 a.m. – adjournment
NIH
Room 6C6
Building 31, C-Wing, 6th Floor
31 Center Drive
Bethesda, MD 20892

Meeting of the President's Cancer Panel

Examination of the cancer drug cost and access landscape.

- June 10 | 9 a.m. – 4 p.m.
New York Hilton Midtown
1335 Avenue of the Americas
New York, NY 10019

National Heart, Lung, and Blood Advisory Council Meeting

Discussion of program policies and issues.

- June 15 | 8 a.m. – 12:30 p.m.
NIH
Porter Neuroscience Research Center
Building 35A
Convent Drive
Bethesda, MD 20892

Intramural Research at the NIH with the Chairpersons of the Boards of Scientific Counselors Meeting

Discussion of policies and procedures that apply to the regular review of NIH intramural scientists and their work.

- June 17 | 10 a.m. – 2 p.m.
NIH
Room 7
Building 31, C-Wing, 6th Floor
31 Center Drive
Bethesda, MD 20892

Kidney Interagency Coordinating Committee Meeting

Meeting will focus on improving access to kidney transplantation.

- June 17 | 9 a.m. – 12 p.m.
NIH
Natcher Conference Center
9000 Rockville Pike
Bethesda, MD 20892

Meeting of the Medicare Evidence Development and Coverage Advisory Committee

Discussion of recommendations regarding treatment strategies for patients with lower extremity chronic venous disease.

- July 20 | 7:30 a.m. – 4:30 p.m.
CMS
Main Auditorium
7500 Security Boulevard
Baltimore, MD 21244
and via webcast

Advisory Panel on Hospital Outpatient Payment Meeting

Evaluating APC group structure, addressing procedures within an APC group, reviewing the packaging of OPPS services and costs, and other related topics.

- August 22 | 9 a.m. – 5 p.m.
- August 23 | 9 a.m. – 5 p.m.
CMS
Main Auditorium
7500 Security Boulevard
Woodlawn, MD 21244
and via webcast and teleconference

Meeting on Patient-Focused Drug Development for Patients Who Have Received an Organ Transplant

Discussion of patient perspectives on impact of receiving an organ transplant and on treatment approaches as well as issues related to scientific challenges in developing drugs to manage organ transplantation.

- September 27 | 9 a.m. – 5 p.m.
FDA White Oak Campus
Building 31, Conference Center
The Great Room (Rm. 1503)
10903 New Hampshire Ave.
Silver Spring, MD 20993

DEPARTMENT OF VETERANS AFFAIRS

Special Medical Advisory Group Meeting

Review the potential policy requiring physicians provide a 90 day notification when they leave the VA, *Pay for Performance*, and *best practice dissemination project*.

- May 25 | 8 a.m. – 3:30 p.m.
Department of Veterans Affairs
Central Office
810 Vermont Ave. NW
Room 230
Washington, DC 20420

Clinical Science Research and Development Service Cooperative Studies Scientific Evaluation Committee Meeting

Discussion of administrative matters and the general status of the program.

- June 29 | 8:30 a.m. – 10:15 a.m.
American Association of Airport Executives
601 Madison Street
Alexandria, VA 22314

OTHER

Ten Guidelines for Real Health Care Reform

- May 25 | 12 p.m. – 1:30 p.m.
Hudson Institute
1201 Pennsylvania Avenue, NW
Suite 400
Washington, DC 20004

12th Annual State of Personalized Medicine Luncheon Address

- May 25 | 12 p.m. – 2 p.m.
The National Press Club
529 14th Street, NW
Washington, DC 20045

National Health Law Program Health Equity Event

- May 26 | 10 a.m. – 11:30 a.m.
Kaiser Family Foundation
Barbara Jordan Conference Center
1330 G Street, NW
Washington, DC 20005

NPC Luncheon with CDC Director Dr. Tom Frieden

- May 26 | 10 a.m. – 11:30 a.m.
The National Press Club
Holeman Lounge
529 14th Street, NW
Washington, DC 20045