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WASHINGTON UPDATE

ENA Government Relations

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ENA Expresses Concerns with Health Care Reform Bill

In a June 16 letter to Senate Majority Leader Mitch McConnell and Senate Minority Leader Chuck Schumer, ENA communicated its concerns with several aspects of the House-passed legislation that replaces major elements of the Affordable Care Act (ACA). In the [letter](#), ENA urged the Senate to maintain the guarantee of health insurance coverage for emergency care. Both the House-passed bill and the proposed Senate bill eliminate the ACA provision that includes emergency services as an essential health benefit that insurers must cover in their plans.

The letter to the Senate leaders also expressed ENA's opposition with the changes to the Medicaid program contained in the Senate ACA-replacement bill. Medicaid covers approximately 32 percent of all ED visits and the legislation makes two important modifications to the program. First, it phases out the Medicaid expansion that was an important element of the increased coverage under the ACA. Second, it changes Medicaid by giving the states either a block grant or a per capita amount to provide coverage for beneficiaries. Currently, the program covers all persons who qualify for its benefits, including childless adults, who would not be covered after the proposed changes took effect.

Taken together these changes will result in Medicaid covering fewer persons, thereby leading more uninsured patients to visit the ED. The letter states that these "cuts are especially problematic for mental health and substance abuse patients," which are heavily dependent on Medicaid coverage.

Senators Leave Town to Face Fireworks Back Home

Following the release of an updated Congressional Budget Office (CBO) score on the GOP health care bill, senators left Washington, D.C., for their Independence Day break – without voting on a bill to repeal and replace the Affordable Care Act (ACA), aka Obamacare. Senate Majority Leader Mitch McConnell decided to pull the vote when it became clear there were not enough "yes" votes among Republicans to pass the effort. With a slim 52-vote majority, Republicans can only afford to lose two members of their own party and still pass a bill. With all Democrats currently opposing the legislation, the GOP would need 50 'yes' votes from Republicans, plus Vice President Mike Pence's tie-breaking vote to pass the bill.

As Congress returns from its July 4th recess, it is unclear when McConnell will have the votes. A chasm remains between moderates and conservatives on a host of issues, with conservatives looking to repeal most of Obamacare's provisions and moderates wary to remove many of the law's insurance protections and reluctant to support proposed changes to the Medicaid program.

Federal Budget Approval Behind Schedule

With less than 90 days until the beginning of Fiscal Year 2018 (FY 2018), the House Appropriations Committee has approved only three-of-12 annual spending bills for FY 2018. The full House of Representatives has not yet voted on any spending bills for FY 2018.

Likewise, the Senate has yet to approve any of the appropriations bills for FY 2018. Recently, ENA joined the 63-member Nursing Community in submitting [testimony](#) to the Senate Appropriations Committee requesting support for Nursing Workforce Development Programs and the National Institute of Nursing Research. These two programs are included within the legislation that funds the Departments of Labor, Health and Human Services and Education.

As Opioid Epidemic Rages On, States Pass Laws to Improve Treatment, Reporting

The epidemic of drug overdose deaths in the United States is going from bad to worse, according to [data](#) from the Centers for Disease Control and Prevention (CDC). From 2014-2015, in what has become an alarming trend, drug overdose deaths jumped by 11.4 percent, accounting for 52,404 lives lost in 2015. Opioids, including prescription drugs and illicit narcotics like heroin and fentanyl, were responsible for more than 63 percent of those deaths – 33,091 in 2015, the most on record. From 2014-2015, 19 states experienced statistically significant increases in death rates from drug overdose, with eight states seeing these types of increases for multiple years. In the report, the CDC contended that “a multifaceted, collaborative public health and law enforcement approach is urgently needed.” This would include a series of actions, including: implementing new prescribing guidelines, enhancing the use of prescription drug monitoring programs, increasing access to naloxone, increasing the capacity to treat those with opioid use disorders, improving linkages to treatment and supporting law enforcement strategies to reduce illegal supply.

States have worked to pass laws to improve access to overdose-reversal agents like naloxone, or relax or eliminate criminal charges which might stem from someone seeking help in a potential overdose emergency. Now, all 50 states have passed laws that have increased access to naloxone, and 40 states have enacted laws that provide some protection from prosecution for those who seek assistance for themselves or someone else during an overdose emergency.

Federal Advocacy Update: ENA Priority Legislation

As discussed in June, we have started providing monthly updates on the status of bills that are of priority concern or focus for ENA. We will utilize this section to provide basic information such as new cosponsors that have signed on in the last month or updates on the status of the bill's movement through Congress.

In June, we provided a listing of all cosponsors for each bill (except for H.R. 304, which passed the House in January and will no longer be adding cosponsors). Beginning this month and moving forward, we will only list new cosponsors added since the last Washington Update.

Protecting Patient Access to Emergency Medications Act

[House \(H.R. 304\)](#)

Status: Passed House on January 9, 2017. Awaiting Senate action.

[Senate \(S. 916\)](#)

No New Cosponsors since June 15, 2017

Status: Passed HELP Committee on May 1. A Senate floor vote awaits.

MISSION ZERO Act

[House \(H.R. 880\)](#)

Cosponsors	Party/State/Dist.	Date Added
Rep. Hill, J. French	[R-AR-2]	6/20/2017
Rep. Sensenbrenner, James	[R-WI-5]	6/20/2017
Rep. Jayapal, Pramila	[D-WA-7]	6/28/2017
Rep. Matsui, Doris	[D-CA-6]	6/28/2017
Rep. Bilirakis, Gus	[R-FL-12]	6/28/2017

Status: Approved by Energy and Commerce Health Subcommittee on June 29. A vote by the full committee awaits before it will be considered by the House of Representatives.

[Senate \(S. 1022\)](#)

No New Cosponsors since June 15, 2017

Mental Health and Substance Abuse Treatment Accessibility Act

[House \(H.R. 1253\)](#)

Cosponsors	Party/State/Dist.	Date Added
Rep. Collins, Chris	[R-NY-27]	6/15/2017
Rep. Lance, Leonard	[R-NJ-7]	6/15/2017
Rep. Jayapal, Pramila	[D-WA-7]	6/15/2017
Rep. Rutherford, John	[R-FL-4]	6/27/2017

Senate: Please note there is no current Senate companion for H.R. 1253