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LEGISLATIVE AND REGULATORY UPDATE
February 6, 2017

Week in Brief

President Trump Issues Executive Order, *Reducing Regulation and Controlling Regulatory Costs*. OIRA Provides Interim Guidance on the Executive Order. President Trump Nominates Judge Neil Gorsuch for the Supreme Court.

Senate Finance Committee Votes to Advance HHS Secretary Nominee Tom Price (R-GA).

OMB Withdraws 340B Program Omnibus Guidelines.

WHITE HOUSE UPDATE

January 31

President Trump Confers with Pharmaceutical Executives, House Energy & Commerce Chairman Greg Walden (R-OR), and PhRMA.

LEGISLATIVE UPDATE

January 29

Senate Finance Committee Chairman Orrin Hatch (R-UT) Announces Committee Will Markup Nomination of Congressman Tom Price (R-GA), Selected by President Trump to Serve as HHS Secretary, During Executive Session.

January 30

Senate Finance Committee Ranking Member Ron Wyden (D-OR) Announces He Will Vote Against Confirmation of Congressman Tom Price (R-GA) for HHS Secretary and Steve Mnunchin for Secretary of Treasury.

Senate Finance Committee Ranking Member Ron Wyden (D-OR) Releases Statement Regarding Decision to Postpone Committee's Vote on Secretary of Treasury Nominee Steve Mnuchin.

House Energy & Commerce Ranking Member Frank Pallone, Jr. (D-NJ), Ways & Means Ranking Member Richard Neal (D-MA), and Education & the Workforce Ranking Member Bobby Scott (D-VA) Send Letter to Acting Secretary of HHS Requesting Information on White House's Decision to Draw Back on Advertising for Healthcare.gov Ahead of Open Enrollment Deadline.

Senators Patty Murray (D-WA), Al Franken (D-MN), Tammy Baldwin (D-WI), and Elizabeth Warren (D-MA) Send Letter to Majority Leader Mitch McConnell (R-KY) and Senate Finance Committee Chairman Orrin Hatch (R-UT) Urging Postponement of Committee Vote on HHS Secretary Nominee Tom Price (R-GA) Until Ethical Questions Are Further Answered.

January 31

House Energy & Commerce Subcommittee on Oversight Holds Hearing, *Medicaid Oversight: Existing Problems and Ways to Strengthen the Program.*

House Oversight & Government Reform Committee Holds Hearing, *Fraud, Waste and Abuse Under the Affordable Care Act*.

Senate Finance Committee Democrats Boycott Confirmation Votes for Nominees Price and Mnuchin.

Senate Finance Committee Ranking Member Ron Wyden (D-OR) Issues Statement Regarding "Unanswered Questions and Misleading Statements" by Nominee for HHS Secretary Congressman Tom Price and Nominee for Secretary of Treasury Mr. Steven Mnuchin.

Senate Finance Committee Ranking Member Ron Wyden (D-OR) Introduces a Resolution and a Bill to Prevent the IPAB Process from Rushing Through Policies Aimed at Undermining Medicare.

House Energy & Commerce Committee Chairman Greg Walden (R-OR) and Health Subcommittee Chairman Michael C. Burgess, M.D. (R-TX) Highlight February Agenda for Committee in Morning Consult *Morning Consult*.

Energy & Commerce Ranking Member Frank Pallone, Jr. (D-NJ) Highlights Dangers of Repealing ACA at Subcommittee on Oversight & Investigations Hearing Entitled *Medicaid Oversight: Existing Problems and Ways to Strengthen the Program.*

House Judiciary Committee Chairman Bob Goodlatte (R-VA) Issues Statement Regarding President Trump's Nomination of Judge Neil Gorsuch to be Next Supreme Court Justice. House Judiciary Committee Ranking Member John Conyers, Jr. (D-MI) and Congressional Black Caucus Chair Congressman Cedric Richmond (D-LA) Also Release a Statement, Jointly.

February 1

Senate HELP Committee Holds Hearing, *Obamacare Emergency: Stabilizing the Individual Health Insurance Market*.

House Education & the Workforce Committee Holds Hearing, *Rescuing Americans from the Failed Health Care Law and Advancing Patient-Centered Solutions*.

House Energy & Commerce Subcommittee on Health Holds Hearing, *Strengthening Medicaid and Prioritizing the Most Vulnerable*. Ranking Member Frank Pallone, Jr. (D-NJ) Releases General Statement About Hearing and Second Statement Regarding Chairman Greg Walden's (R-OR) Proposed Bill.

House Judiciary Committee Chairman Bob Goodlatte (R-VA) Delivers Speech Before the Federalist Society at the National Press Club, Announces Agenda for the 115th Congress.

Senate Committee on Veteran's Affairs Holds Hearing for Secretary of Veterans Affairs Nominee Dr. David J. Shulkin.

House Committee on the Budget Democrats Release Report Entitled *Understanding Sequester: An Update for the 115th Congress.*

Senate Veterans' Affairs Committee Chairman Johnny Isakson (R-GA) Vows to Improve Accessibility to Health Care for Veterans, Emphasizes Importance of Bipartisan Committee Work.

Senate Veterans' Affairs Committee Ranking Member Jon Tester (D-MT) Pushes VA Secretary Nominee Dr. David Shulkin to Vow Not to Privatize the VA and Divert Resources.

House Appropriations Committee Ranking Member Nita Lowey (D-NY) Announces Subcommittees' Ranking Members and Membership.

Senate HELP Committee Chairman Lamar Alexander (R-TN) and Ranking Member Patty Murray (D-WA) Release Statements from Committee Hearing *Obamacare Emergency: Stabilizing the Individual Health Insurance Market*.

Senate HELP Committee Chairman Lamar Alexander (R-TN) Announces Chairs and Membership for Subcommittees in 115th Congress.

Senate Finance Committee Democrats Resubmit Questions for Nominees Congressman Tom Price (R-GA) and Mr. Steven Mnuchin.

Senators Patty Murray (D-WA), Bernie Sanders (I-VT), Al Franken (D-MN), Tammy Baldwin (D-WI), Elizabeth Warren (D-MA), and Cory Booker (D-NJ) Send Letter Expressing Concern Regarding Trump Administration Hiring Practices, Pointing to Reports that Recent Appointees Have "History of Making Racist, Bigoted, and Misogynistic Statements."

Senate Finance Committee Chairman Orrin Hatch (R-UT) Announces Committee to Reconvene Markup of Price and Mnuchin Nominations in Executive Session.

Senate Finance Committee Chairman Orrin Hatch (R-UT) and Ranking Member Ron Wyden (D-OR) Release Statements Regarding Suspension of Quorum Rules and Advancement of Congressman Tom Price (R-GA) and Mr. Steven Mnuchin's Nominations. Senate HELP Committee Ranking Member Patty Murray (D-WA) Releases Statement Regarding "Secret, Closed-Door" Vote for Price Nomination.

February 2

House Energy & Commerce Subcommittee on Health Hold Hearing, *Patient Relief from Collapsing Health Markets*.

House Ways & Means Committee Chairman Kevin Brady (R-TX) and Health Subcommittee Chairman Pat Tiberi (R-OH) Issue Statement Regarding CMS Proposal to Strengthen the Medicare Advantage and Part D Programs.

REGULATORY UPDATE

DEPARTMENT OF HEALTH AND HUMAN SERVICES

January 25

HHS Announces Update of Poverty Guidelines.

February 1

CMS Issues "Advance Notice of Methodological Changes for Calendar Year (CY) 2018 for Medicare Advantage (MA) Capitation Rates, Part C and Part D Payment Policies and 2018 Call Letter."

OTHER UPDATES

January 31

GAO Releases Reports,

- *Medicaid: CMS Has Taken Steps, but Further Efforts Are Needed to Control Improper Payments*
- *Patient Protection and Affordable Care Act: Concentration, Plan Availability and Premiums, and Enrollee Experiences in Health Insurance Markets Since 2014*

UPCOMING EVENTS

CONGRESSIONAL HEARINGS/MARKUP

HOUSE

Veterans' Affairs
Assessing the VA IT Landscape: Progress and Challenges

- February 7 | 10 a.m.
  334 Cannon House Office Building

Small Business Committee
Reimagining the Health Care Marketplace for America's Small Businesses

- February 7 | 11 a.m.
  2360 Rayburn House Office Building

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FDA Workshop: Identification and Characterization of the Infectious Disease Risks of Human Calls, Tissues, and Cellular and Tissue-Based Products

Discussion on the "current methods available for identifying and characterizing infectious disease risks associated with human cells, tissues, cellular and tissue-based products (HCT/Ps)."

- February 8 | 8:30 a.m. – 4:30 p.m.
- February 9 | 8:30 a.m. – 12:30 p.m.
  Harvey H. Wiley Federal Building
  Wiley Auditorium
  5100 Campus Drive
  College Park, MD 20742

National Advisory Mental Health Council (NAMHC)

Agenda includes the NIMH's Director report, computational psychiatry, neural circuit technologies, opportunities to reduce suicide, and concept clearances.

- February 9 | 9 a.m. - 12:45 p.m.
  NIH
  Neuroscience Center
  Conference Room C/D/E
  6001 Executive Boulevard
  Rockville, MD 20852

National Advisory Council on Alcohol Abuse and Alcoholism

Agenda includes Director's report, alcohol PTSD comorbidity concept clearance, consideration of Sept. 2016 meeting minutes and future meeting dates, neuroimaging in a alcoholism: translation from animals to humans, alcohol and stress mechanisms; from risk to relapse and recovery, ex-officio members' reports, and making data from NIAAA funded grants available to the research community.

- February 9 | 11 a.m.
  Terrace Level Conference Rooms
  5635 Fishers Lane
  Bethesda, MD 20852

OTHER

CNN Town Hall Debate on the Future of Obamacare

- February 7 | 9 p.m.
  George Washington University
  Washington, DC

Brookings Institution's What Worked and What Didn't in Obamacare Insurance Markets? New Research on Five State-level Marketplaces – Lessons Learned

- February 9 | 9 a.m. - 12 p.m.
  Brookings Institution
  Falk Auditorium
  1775 Massachusetts Avenue NW
  Washington, DC 20036

NIHCM's Engaging Medicaid Patients: Obstacles, Successes & the Impact of Medicaid Waivers.

- February 10 | 1 p.m. - 2:30 p.m.
  Webinar