

LCAO Health Committee Meeting Minutes

April 23, 2018

1. Opioid Legislation is moving
 - [House Energy and Commerce Summary](#); 60+ bills—some addressing Medicare and Medicaid; marking up this week (Wednesday 4/25)
 - Senate [HELP Summary](#) also marking up this week
 - Finance and W&M moving less quickly
 - NCOA looking at materials—have a few draft Medicare recommendations:
 - Prevention—screening and referrals—broader training and adoption of Screening, Brief Intervention, and Referral to Treatment (SBIRT) tool; possible opportunities in annual Medicare Wellness Visit
 - Medication Assisted Treatment (MAT)—developed by SAMHSA, methadone only reimbursable for inpatient but not outpatient
 - Non-pharmacologic evidence based treatment access (self-management, medication management)
 - AMDA Talking Points
 - Families USA has a new fact sheet
 - Community Catalyst's SUD team also working on this
 - We will look for consensus to make recommendations from LCAO, possible letter
2. Update on HCBS Money Follows the Person and Balancing Incentive Payments 2.0
 - MFP—focus on House Hill visits and build co-sponsors; still long shot; lame duck seems most likely; maybe only 1 or 2 year extension; additional cosponsors have recently joined; Congressional staff seems to lack knowledge about the program; need help with Hill visits (sign up via the [Doodle forms](#))
 - BIP 2.0—circulating ideas based on Anne Montgomery's paper; hoping to have specs of a bill in May (Reps. Dingell & Guthrie)
3. Update on Medicaid waivers
 - KY case staying in DC; oral argument on the Plaintiffs' motion for summary judgment scheduled for June. Justice in Aging, AARP, National Academy of Elder Law Attorneys, Disability Rights Education And Defense Fund submitted an [amicus brief](#).
 - Michigan proposal: [CBPP issue brief](#); MI Senate passed the work requirement bill last week—timing in House unclear;
 - TN Senate passed a bill—heading to governor; Oklahoma bill moving quickly and expected to pass
 - New [Justice in Aging fact sheet on work requirements](#)
 - Non-LCAO sign-on letter urging Sec. Azar to address concerns raised in [a recent GAO report](#) and halt approvals of 1115 waivers that have the effect of limiting eligibility, reducing enrollment, or curtailing program benefits until HHS demonstrates it has the capacity to conduct comprehensive public evaluations of its existing waivers. [Click here](#) to see the letter and sign-on. **Deadline is COB May 4.**
 - We are also watching the Farm Bill—would expand SNAP work requirement up to age 60
 - [State Medicaid Director letter on how the look-back period for asset transfers applies to HCBS 1915\(c\) waiver applicants](#) (will discuss more at a future meeting)
4. Electronic Visit Verification; Some groups are following—will discuss more at a future meeting
 - Part of 21st Century CURES Act—January 2019 compliance; Response to OIG reports w/ concerns about fraudulent billing for “personal care services or home health care services requiring an in-home visit by a provider”

- For background, [letter to CMS from National Association of State Directors of Developmental Disabilities](#)

5. NCOA Medicare Plan Finder Report (released 4/25) with Clear Choices Campaign (Joel White)—interviewed 25 Medicare beneficiaries as well as SHIP Directors; report card with letter grades; key findings and recommendations; will do a series of briefings

6. Proposed Rules

- [Short-term Limited-Duration Insurance](#) (Comments were due 4/23)
- CY 2019 Medicare Marketing Guidelines (comments due 4/26); CMS seeking comments from plans, did not make draft guidelines available; limited to commenting via online form with character limits
- [Medicaid Program; Methods for Assuring Access to Covered Medicaid Services-Exemptions for States With High Managed Care Penetration Rates and Rate Reduction Threshold](#) (comments due 5/22); [NHLP Blog](#) about the proposed rule
- Expecting the proposed rule on public charge any day. Stay tuned for template comments and see the [Protecting Immigrant Families campaign](#) for more info.
- Draft proposed ACA 1557 nondiscrimination rule is at OMB. Expect HHS to reopen rules regarding treatment for transgender individuals and

7. Other Announcements

- Non-LCAO [sign-on letter](#) (attached) opposing HHS' fiscal year 2019 budget request proposing to use regulatory authority to change Medicaid non-emergency medical transportation (NEMT) from a mandatory to an optional benefit. To sign on, please email Michael Massiwer at mmassiwer@mjsimonandcompany.com by next **Tuesday the 24th** COB.
- National Institute on Aging—free Breakfast briefing on Aging Research May 9th (invite forthcoming)
- NASW—National Coalition on Mental Health – May 17th briefing in Rayburn and at SAMHSA on May 18th in Rockville
- Our May Meeting will be **Tuesday May 22nd** (instead of the 29th)
- Public Citizen will join us at our May meeting to discuss drug pricing proposals— may be certain proposals LCAO can support like a catastrophic cap and eliminating copays for LIS beneficiaries

8. Guest Speaker: Liz Jurinka, Chief Health Advisor, Senate Finance Committee Minority Staff

- Opioids--Hoping for a bipartisan set of bills/policies to be considered as part of a larger opioid package for later on in the fall; does not expect a stand-alone bill—so HELP, judiciary, E&C, W&M package that rides on another vehicle—unlikely before August recess; decisions on what is included will be based on whether the bills are big costers; some offices interested in discharging bills without offset; committee ready to have scored, thought out bills before August recess
- Part C & D changes (Matt Kazan); Part B changes (Beth Vrabell); Medicaid (Anne Dwyer)
- Wyden—continued focus on Marketplace; oversight of Admin; we should stop calling it the ACA because Marketplace doesn't look like the ACA—it's been undermined; letter from 47 senators on STLDI; monitoring Medicaid waivers & work requirements
- Drug pricing—POTUS speech postponed; monitoring HHS plans to use CMMI aggressively
- Medicare Improvement Bill—Wyden would be happy to reintroduce but want to make sure they're moving policies that others want too
- Very proud of getting CHRONIC Care bill passed
- MFP—OR & UT don't have MFP, need a bigger push from bill's sponsors, supporters

9. Our next meeting will be Tuesday May 22nd at 3:30 pm (instead of the 29th)