

LCAO Health Committee Meeting Minutes

May 22, 2018 3:30 PM ET

1. Guest Speaker—Steve Knievel with Public Citizen spoke on drug pricing and cost issues and provided an overview of current legislation. The CREATES Act (S 974/HR 2212), which aims to curb abuses of risk evaluation and mitigation strategy (REMS) requirements and promote drug price competition, is the “lowest hanging fruit” with strong bipartisan support. Contact Natalie (nkean@justiceinaging.org) for handouts. Thanks to Center for Medicare Advocacy and National Committee for inviting Steve.
 - We also briefly discussed the [Trump Admin Blueprint to Lower Drug Prices and Memo to Part D Plans on no gag clauses](#)
 - There is some interest in putting together an LCAO letter on allowing government negotiations in Part D

2. Opioid Legislation Update
 - Guest Speaker—Stacy Sanders, Deputy Staff Director, Ranking Member Casey, Senate Aging, shared an update on timing of the process on the Senate side. She shared that members are looking for ideas and places where they can take leadership. Even after a package is passed, this issue is not going away so it’s important to continue weighing in.
 - 5/23 Hearing on [Preventing and Treating Opioid Misuse Among Older Americans](#)
 - Senate Finance released its [package of bipartisan bills](#) to markup in June. Sen. Casey’s Bill--[Medicare Beneficiary Opioid Addiction Treatment Act](#) (S. 2704/H.R. 4097) isn’t part of the package, but may move at the end of the year in another package. The House version is part of a broader bill.

 - House: Bills from [E&C](#) and [W&M](#). Expect a floor vote in mid June.

 - We agreed to draft an LCAO letter regarding priorities on a conference bill—let Howard know (howard.bedlin@ncoa.org) if you can help

3. Update on HCBS Money Follows the Person and Balancing Incentive Payments 2.0
 - a. MFP Empower Care Act--Need Republican co-sponsors. Orgs are encouraged to email offices even if they didn’t participate in the visits. List of target offices circulated.
 - b. BIP 2.0 – interest on the House side from Reps. Guthrie and Dingell but no bill yet

 - c. Rep. Pallone’s Draft [Medicare Long-Term Care Services and Supports Act](#) of 2018 (seeking feedback through June 15)—would create a Medicare Part E designed to be a catastrophic LTSS benefit that would kick in after a waiting period (or deductible). There is a placeholder for funding.
 - d. General consensus that it’s important to support the concept.
 - e. Planning to meet with W&M Dem Committee staff to discuss

4. Update on Medicaid waivers

- Retroactive coverage waivers
 - Arizona & Florida—many groups signed on to letters opposing these waivers which CMS is now considering
- Work Requirements
 - New messaging research—important to talk about this as taking away coverage, not simply as a work requirement. Avoid using “community engagement” language.
 - Kentucky litigation update—oral argument on Motion for Summary Judgement is scheduled for June. Hoping for a decision before the provision is scheduled to take effect July 1.
 - New Hampshire waiver approved-- Under the waiver, childless adults age 64 and under who qualify through ACA Medicaid expansion pathway will be required to work 100 hours per month or apply for an exemption.
 - Ohio waiver application at CMS—comments due June 14th
- Other—CMS denied Kansas request for lifetime limits on Medicaid eligibility

5. Proposed Rules

- [Medicaid Equal Access Rule--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)
- [Medicare Direct Provider Contracting RFI](#) (comments due 5/25)
- [RFI on HHS Blueprint to Lower Drug Prices and Reduce Out-of-Pocket Costs](#) (comments due 7/16)
- Expecting the proposed rule on public charge any day. Stay tuned for template comments and see the [Protecting Immigrant Families campaign](#) for more info. Groups are invited to sign on to a statement that will be released when the proposed rule is published.
- Draft proposed ACA 1557 nondiscrimination rule is at OMB.

6. Other Announcements

- a. Non-LCAO letter on auto-escalation of Part D appeals
- b. NCOA Plan Finder report is getting some traction
- c. Reps. Reed & DeGette introduced “Expanding Access to Diabetes Self-Management Training Act of 2018” ([HR 5768](#))

7. Our next meeting will be Tuesday June 26th at 3:30 pm