

Federal Health Update

MARCH 24, 2017

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EXECUTIVE AND CONGRESSIONAL NEWS

- **On March 23, 2017, House Speaker Paul Ryan postponed the expected vote to repeal and replace the ACA.** Republican leadership said it would hold the vote on March 24, 2017.
- **On March 22, 2017, the House passed H.R. 372, the Competitive Health Insurance Reform Act of 2017.** This legislation amend the McCarran-Ferguson Act to ensure that Federal antitrust laws apply to the business of health insurance.

MILITARY HEALTH CARE NEWS

- **The Department of Defense (DoD) announced the induction of six new members to the Defense Advisory Committee on Women in the Services (DACOWITS).**

DACOWITS provides the department with advice and recommendations on matters and policies relating to the recruitment and retention, treatment, employment, integration and well-being of highly-qualified professional women in the Armed Forces.

The new additions include:

- Lt. Gen. Judith A. Fedder (retired)

- Sgt. Maj. Norma J. Helsham (retired)
- Therese A. Hughes
- Kyleanne M. Hunter
- Pat W. Locke
- Rear Adm. Cari B. Thomas (retired)

The committee is comprised of 20 members, who include prominent civilian women and men from academia, industry, public service and other professions, as well as military retirees and veterans. Members represent a distribution of demography, academia, industry, public service and other professions. They are selected based on military experience or woman-related workforce issues.

More information about DACOWITS can be found at <http://dacowits.defense.gov/>

VETERANS AFFAIRS NEWS

- **The Department of Veterans Affairs announced changes to the Veterans Crisis Line to address challenges to the program.**

According to the VA, prior to the opening of its new Atlanta call center, the call rollover rate often exceeded 30 percent. The current call rollover rate is less than 1 percent, with over 99 percent of all calls being answered by the VCL.

To reach a VA professional, who is specially trained to attend to emotional crises for veterans and service members:

- Dial the National Suicide Prevention Hotline number, 800-273-TALK (8255). Veterans should choose option 1 to reach a VCL responder;
- Text 838255 — A VCL responder will text back.
- Chat online at <https://www.veteranscrisisline.net/>

- **In response to a report released by the Government Accountability Office's (GAO), "VA Disability Benefits: Additional Planning Would Enhance Efforts to Improve the Timeliness of Appeals Decisions," the U.S. Department of Veterans Affairs (VA) released the following statement:**

"The Department of Veterans Affairs (VA) appreciates the work of the Government Accountability Office (GAO). This report confirms that the current law and process for adjudicating appeals is not consistent with the commitment we have made to our nation's veterans.

"Veterans are waiting far too long for decisions in our current appeals process. We have made bold changes to remove the bureaucratic red tape that has caused veterans to wait an average of three years before they get a decision.

"VA has developed sound and aggressive plans regarding hiring, training and mitigation strategies that are already being aggressively implemented. In addition, VA recognizes the importance of effective management practices for the development of information systems to help integrate and streamline the appeals process. Our new Caseflow system will help us anticipate new information requirements, allowing us to quickly address challenges and provide our employees the support they need.

“There is broad consensus that the current VA appeals system is broken and in urgent need of reform. Our proposal for a new appeals process was designed in conjunction with Veterans Service Organizations and other key stakeholders. VA strongly disagrees with GAO about the need for any type of piloting, which would only unnecessarily delay the implementation of the bold changes Veterans expect us to make.

“VA is working to make as many changes to the system allowed by current law.”

GENERAL HEALTH CARE NEWS

- **This week the Health and Human Services Department launched [a new page on HHS.gov](#) highlighting the regulatory and administrative actions the Department is taking to relieve the burden of the current health care law and support a patient-centered health care system.**

The actions are part of a broader plan to repeal and replace the Affordable Care Act.

New measures will be announced as soon as is allowable by law. In particular, future actions will:

- Lower costs and increase choices by providing relief from the burdensome regulations and fostering competition in insurance markets;
- Work to ensure a stable transition period;
- Offer states greater flexibility of their Medicaid programs to meet the needs of their most vulnerable populations; and
- Increase the opportunities for patients to get the care they need when they need it.

- **The U.S. Food and Drug Administration granted accelerated approval to Bavencio (avelumab) for the treatment of adults and pediatric patients 12 years and older with metastatic Merkel cell carcinoma (MCC), including those who have not received prior chemotherapy.**

This is the first FDA-approved treatment for metastatic MCC, a rare, aggressive form of skin cancer.

According to the National Cancer Institute, approximately 1,600 people in the United States are diagnosed with MCC every year. While the majority of patients present with localized tumors that can be treated with surgical resection, approximately half of all patients will experience recurrence, and more than 30 percent will eventually develop metastatic disease. In patients with metastatic MCC, the cancer has spread beyond the skin into other parts of the body.

Bavencio targets the PD-1/PD-L1 pathway (proteins found on the body’s immune cells and some cancer cells). By blocking these interactions, Bavencio may help the body’s immune system attack cancer cells.

Bavencio received an [Accelerated Approval](#), which enables the FDA to approve drugs for serious conditions to fill an unmet medical need using clinical trial data that is thought to predict a clinical benefit to patients. Further clinical trials are required to confirm Bavencio’s clinical benefit and the sponsor is currently conducting these studies.

The FDA granted this application [Priority Review](#) and [Breakthrough Therapy](#) designation. Bavencio also received [Orphan Drug](#) designation, which provides incentives to assist and encourage the development of drugs for rare diseases.

The FDA granted accelerated approval of Bavencio to EMD Serono Inc.

REPORTS/POLICIES

- **The GAO published “VA Disability Benefits: Additional Planning Would Enhance Efforts to Improve the Timeliness of Appeals Decisions,” (GAO-17-234) on March 23, 2017.** This report examines VA's approaches to address challenges it identified as contributing to lengthy appeals processing times, and the extent to which those approaches are consistent with sound planning practices. <http://www.gao.gov/assets/690/683637.pdf>

- **The GAO published “Veterans Health Administration: Actions Needed to Better Recruit and Retain Clinical and Administrative Staff,” (GAO-17-475T) on March 22, 2017.**

This report discusses the difficulties VHA is facing in recruiting and retaining staff for key clinical positions; and VHA's capacity to perform key HR functions essential to addressing these difficulties. <http://www.gao.gov/assets/690/683564.pdf>

HILL HEARINGS

- The Senate and House Veterans Affairs Committees will hold a joint hearing on **March 22, 2017**, to examine the legislative presentations of multiple veterans service organizations.

LEGISLATION

- **H.R.1628** (introduced March 20, 2017): American Health Care Act of 2017 was placed on the Union Calendar. Sponsor: Representative Diane Black [R-TN-6]
- **H.R.1651** (introduced March 21, 2017): To designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health was referred to the House Committee on Energy and Commerce Sponsor: Representative Eddie Bernice Johnson [D-TX-30]
- **S.693** (introduced March 22, 2017): A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine was referred to the Committee on Health, Education, Labor, and Pensions. Sponsor: Senator Tammy Baldwin [D-WI]
- **S.699** (introduced March 22, 2017): A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental and behavioral health care to certain individuals discharged or released from the active military, naval, or air service under conditions other than honorable, and for other purposes was referred to the Committee on Veterans' Affairs. Sponsor: Senator Christopher Murphy [D-CT]
- **H.R.1621** (introduced March 17, 2017): Protecting Seniors from Health Care Fraud Act of 2017 was referred to House Ways and Means. Sponsor: Representative Raul Ruiz [D-CA-36]
- **H.R.1676** (introduced March 22, 2017): To amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical

schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine was referred to the House Committee on Energy and Commerce. Sponsor: Representative Eliot L. Engel [D-NY-16]

- **H.R.1685** (introduced March 22, 2017): To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental and behavioral health care to certain individuals discharged or released from the active military, naval, or air service under conditions other than honorable, and for other purposes was referred to the House Committee on Veterans' Affairs. Sponsor: Representative Beto O'Rourke [D-TX-16]
- **H.R.1662** (introduced March 21, 2017): To amend title 38, United States Code, to prohibit smoking in any facility of the Veterans Health Administration, and for other purposes was referred to the House Committee on Veterans' Affairs. Sponsor: Representative Brad R. Wenstrup [R-OH-2] (Introduced 03/21/2017)

MEETINGS

- The Heroes of Military Medicine Awards will be held on **May 4, 2017**, in Washington, DC. <http://www.hjfc3.org>
- The 7th Annual Traumatic Brain Injury Conference will be held **May 24-25, 2017**, in Washington DC. <http://tbiconference.com/home/>

If you need further information on any item in the *Federal Health Update*, please contact Kate Theroux at (703) 447-3257 or by e-mail at katetheroux@federalhealthcarenews.com.