

**Subject:** REDC Policy Update 10.11.19

Good Afternoon REDC Members,

Below is your policy update, and we look forward to seeing many of you at the end of month for our annual advocacy day in D.C.!

### SERVE Act:

#### **Senate SERVE Act set to be introduced late next week/early following week**

The bill text is final and we are working with our leads (Senators Shaheen and McSally) to recruit other Senators to be original cosponsor upon introduction.

The following offices considering supporting include: Capito (R-WV), Hirono (D-HI), Manchin (D-WV), Scott (R-FL), Hawley (R-MO), and Baldwin (D-WI).

The Eating Disorders Coalition (EDC) led an effort in Spring 2018 to request a Federal Govt report called a GAO report on the prevalence, treatment, and prevention of eating disorders in the military.

Last week, GAO reached out to the EDC as they finally commenced the study. The EDC is gathering experts for a call to help them in their report. This report will have significant impacts on the SERVE Act, so thank you to the REDC members who are participating in this important meeting.

### B. ACA—CONGRESSIONAL

#### **Republicans Congressman Introduces Bill to Codify Trump Administration Regs into Law**

Rep. Ted Budd (R-NC-13) introduced a bill entitled, “Flexibility Through Lower Health Care Expenses (FLEX) Act (H.R. 4484), which would codify the Trump Administration’s regulatory actions on association health plans and short-term, limited duration insurance into law.

Although the bill will not advance in a Democratic-controlled House, it is telling that some members are doubling down in support of these regulatory changes.

We will keep an eye out for similar pieces of legislation and/or Senate companion legislation.

#### **House Conservatives Prepping Health Care Plan**

Republicans are on the verge of releasing a major health care proposal via the Republican Study Committee.

Similar to the report the RSC released last year, the plan could offer the GOP counter to the ACA.

Any GOP replacement for the ACA will face considerable skepticism from public health advocates, after the party’s previous proposals were projected to cover far fewer individuals than the ACA.

#### **House Ways and Means Committee Leader Readyng to Pitch “Surprise Medical Bills”**

In a letter to committee Democrats, W&M Committee Chairman Neal (D-MA) outlined the broad contours of a plan he said he's recently offered the committee's Ranking Member Brady (R-TX) to consider.

The approach empowers the federal gov't, with stakeholder input, to determine payment rate standards and consider an arbitration approach to prevent patients from receiving often sky-high bills for inadvertently receiving out-of-network care.

Under Neal's approach, 3 departments—HHS, Labor and Treasury—and stakeholders would form a committee to identify standards for the rates for surprise bills and decide whether to allow an option for providers and health plans to dispute payments.

However, the new framework is expected to further complicate efforts for Congress to come to an agreement over how to end surprise medical bills.

## C. ACA—REGULATORY

### **Trump Administration Plans to Delay any Changes if the ACA Loses in Court**

With no viable replacement plan for the ACA, the Trump Administration plans to seek a stay if a federal appeals court invalidates all or part of the ACA in coming weeks and may try to delay a potential Supreme Court hearing on the matter until after the 2020 presidential election.

The administration's plan to seek a stay of any court ruling that undermines the law reflects the political disadvantages of its decision to side with GOP-led states seeking to overturn the ACA.

In contrast, Democrats are eager for a Supreme Court hearing in the middle of the 2020 campaign. The topic will likely be a popular talking point as the election season closes in.

### **American Enterprise Institute Releases a Report, "A New Vision for Health Reform" (full memo attached)**

The conservative American Enterprise Institute (AEI) released a report outlining several health care reform solutions based off of 4 main buckets:

- Improving information about prices and outcomes to spur cost-reducing pressure from patients and encourage cost-effective choices;
- Shifting away from fee-for-service where possible;
- Removing barriers to competition among insurers and health care providers;
- Providing appropriate regulation and direct intervention where markets are not workable.

### **54 Million Americans Have Pre-Existing Conditions That Would Make Them Uninsurable Without the ACA**

The Kaiser Family Foundation released an [updated analysis](#) estimating that 54 million people or 27% of all adults under 65 have pre-existing conditions that would likely have made them uninsurable in the individual markets that existed before the ACA.

### **Trump Issues Executive Order Expanding Private Medicare Advantage Plans**

The order calls for beefing up Medicare through bolstering telehealth services and increasing the supplemental benefits MA plans can offer.

Additionally, the order calls for minimizing the time between FDA approval and Medicare's determination of whether to cover the treatment.

20 million Americans or more than 1/3 of all Medicare beneficiaries have a MA plan.

#### **"Walmart Health" Officially Opens**

Unlike previous clinics Walmart has opened inside its retail pace, Walmart Health is in a standalone building next to a Walmart store in Georgia. Services include basic imaging like X-rays, mental health services, dental care and more.

Walmart is also piloting a program to sell health care bundles—like free prescriptions for some generic drugs and telehealth services.

Additionally, Walmart is offering employees the chance to earn health care degrees or career diplomas for \$1 per day. The degrees are in fields like health science and health care management as it looks to fill internal roles.

Best,  
Katrina, Allison & the Center Road Solutions team