



## ML Strategies Update

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## Health Care Update

- **National Health IT Week Begins Today:** [National Health IT Week](#) is being held in Washington, DC this week. This is the ninth year that key stakeholders, including the Healthcare Information and Management Systems Society (HIMSS), the Institute for e-Health Policy, the College of Healthcare Information Management Executives, and some 400 others, have come together in a “collaborative forum and virtual awareness week that assembles key healthcare constituents dedicated to working together to elevate the necessity of advancing health through the best use of information technology.”

Health IT Week kicks off with its annual [Consumer Health IT Summit](#), led by the Office of the National Coordinator for Health IT (ONC). The Summit consists of events highlighting the public and private sector innovations in health IT and patient management and will feature speakers such as Department of Health and Human Services (HHS) Secretary Sylvia Burwell and U.S. Chief Technology Officer Todd Park. Other events over the course of the week include a panel discussion with the Senate Special Committee on Aging, a Capitol Hill technology showcase, breakfast with ONC head Dr. Karen DeSalvo, and a webinar on the progress and challenges of Health IT safety. A full agenda can be found [here](#).

Health IT and related policy areas, such as telehealth, have received growing attention and support from the industry stakeholders and public officials. Highlighting potential opportunities for stakeholders in these spaces, ML Strategies recently published a piece, *Telehealth and Health IT Policy: Considerations for Stakeholders*. This document can be found [here](#).

### Implementation of the Affordable Care Act

**HHS Adopts a Final Rule on EHR Certification:** HHS issued a final rule modifying the criteria for the 2014 edition electronic health record (EHR) certification and the ONC Certification Program. HHS says the final rule will provide clarity and flexibility to developers, providers, and consumers of health information technology.

**\$60 Million in HIM Navigation Funds:** HHS [announced](#) \$60 million in navigator grant awards to 90 organizations in states with federal and state-run health insurance marketplaces. The grants support preparation and outreach in year two enrollment.

**ACA Funds for Primary Care:** HHS [announced](#) \$295 million in ACA funding to expand access to primary care at health centers. The funding will go to 1,195 health centers in every state, Washington, DC, Puerto Rico, the U.S. Virgin Islands, and the Pacific Basin.

### Other Federal Regulatory Initiatives

**OIG Report Questions Pandemic Preparedness:** The Department of Homeland Security (DHS) Office of the Inspector General (OIG) wrote in a [report](#) that the agency lacks the resources necessary to combat a pandemic. It recommends the allocation of more personal protective equipment and antiviral medication to DHS.

**DEA To Combat Drug Abuse Through Take-Back Program:** The Drug Enforcement Agency (DEA) unveiled a new drug take-back program through which people can return their unused prescription drugs to pharmacies, hospitals, clinics and other authorized collectors. Attorney General Eric Holder praised the new program, saying that reducing drug abuse saves lives.

**GAO: HHS Didn't Scrutinize Arkansas' Medicare Proposal:** [According to](#) the Government Accountability Office (GAO), Arkansas received approval from HHS on a spending plan for expanding Medicaid without having to support any of its claims with data.

### Other Congressional and State Initiatives

**Cummings Requests Hearing on Cybersecurity Hack:** Representative Elijah Cummings (D-MD), Ranking Member on the House Oversight and Government Reform Committee, [asked](#) Committee Chairman Darrell Issa (R-CA) to hold a hearing investigating a suspected cybersecurity hack of the health services provider Community Health Systems.

**DeLauro Seeks GAO Review of FDA:** Representative Rosa DeLauro (D-CT) [asked](#) the GAO to gather information on the FDA's expedited drug approval process. She requested background on the type of drugs that are expedited, on the rules drugs must meet once they are available to consumers, and on the number of drugs recalled.

**Stabenow, Thune Sponsor Bill on "Value-Based Insurance Design:"** Senators Debbie Stabenow (D-MI) and John Thune (R-SD) introduced [legislation](#) to study the impact of "value-based insurance designs" on cost-sharing and quality of health care for seniors with chronic conditions in private Medicare Advantage plans. Representatives Diane Black (R-TN) and Earl Blumenauer (D-OR) introduced a companion bill in the House.

**House E&C Requests State-Run Exchange Info:** Republicans on the House Energy and Commerce [wrote](#) to Secretary Burwell requesting that HHS share information on state-run exchanges that the Committee requested from the agency in June.

**House E&C Continues 21<sup>st</sup> Century Cures:** The House Energy and Commerce Subcommittee on Health held another [hearing](#) in the 21<sup>st</sup> Century Cures series to discuss FDA oversight of laboratory developed tests (LDTs). In July, the FDA released draft guidance outlining its intent to regulate LDTs.

**House Approves Public Health Bills:** The House voted and passed four public health bills: [H.R. 4067](#), which would delay enforcement of supervision requirements for outpatient therapeutic services in critical access hospitals; [H.R. 669](#), the Sudden Unexpected Death Data Enhancement and Awareness Act; [H.R. 4920](#), the Wakefield Act; and [H.R. 4701](#), the Tick-Borne Disease Research Accountability and Transparency Act of 2014.

**House Passes Cancelled Plans Bill:** In a 247 to 167 vote, the House [passed H.R. 3522](#), the Employee Health Care Protection Act. The bill would allow plans available on the group market in 2013 to continue through 2018.

**House E&C Hearing on Trafficking:** The House Energy and Commerce Subcommittee on Health met for a [hearing](#) to

examine H.R. 5411, the Trafficking Awareness Training Act for Health Care Act of 2014.

### Other Health Care News

**ATA Grades States on Telemedicine:** The American Telemedicine Association (ATA) released two [studies](#) of state policies, one on coverage and reimbursement and another on physician practice standards for telemedicine.

**Census Data Has Health Care Up:** The Census released data finding that health spending in the second quarter of 2014 grew by 3 percent over the first quarter.

**White Paper Calls for "Culture of Interoperability:"** A [white paper](#) published by HIMSS advocates for more health information exchanges and a "culture of interoperability." To achieve this, the paper recommends completing four goals: correcting the mismatch of regulations and policies that impede interoperability; defining an ecosystem where data is liquid but protected; aligning the health information exchange to new payment models; and ending the use of proprietary architectures.

### Upcoming Congressional Hearings and Markups

#### *Senate*

On Tuesday, September 16<sup>th</sup>, the Senate Health, Education, Labor, and Pensions (HELP) Committee and the Senate Appropriations Subcommittee on Labor and Health and Human Services will hold a joint [hearing](#) on the West Africa Ebola outbreak.

On Tuesday, September 16<sup>th</sup>, the Senate Finance Health Care Subcommittee will hold a [hearing](#) titled "The Children's Health Insurance Program: Protecting America's Children and Families."

On Tuesday, September 16<sup>th</sup>, the Senate Special Aging Committee will hold a [roundtable](#) discussion titled "Harnessing the Power of Telehealth: Promises and Challenges?"

On Wednesday, September 17<sup>th</sup>, the Senate HELP Committee will meet for an [executive session](#) to consider S. 2141, the Sunscreen Innovation Act.

#### *House*

On Thursday, September 18<sup>th</sup>, the House Energy and Commerce Subcommittee on Oversight and Investigations will hold a [hearing](#) titled "Suicide Prevention and Treatment: Helping Loved Ones in Mental Health Crisis."

On Thursday, September 18<sup>th</sup>, the House Oversight and Government Reform Committee will hold a hearing titled "Examining ObamaCare's Failures in Security, Accountability and Transparency."

On Thursday, September 18<sup>th</sup>, the Health and Technology Subcommittee of House Small Business Committee will hold a [hearing](#) titled "An Update on the Small Business Health Options Program: Is It Working for Small Businesses?"

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