

## ML Strategies Health Care Preview

WEEK OF MAY 13, 2019

This week, all is quiet in the Senate as stakeholders await the release of the highly anticipated cost-containment package that is being developed by the HELP and Finance committees. While the details are not yet public – a discussion draft is expected to be released this month – we anticipate that language around surprise billing will headline this package. The surprise billing issue received a renewed push last week as the President threw his weight behind the issue. While the stakeholders still [need to work](#) out some differences, it's clear that intense bipartisan interest in fixing surprise billing raises the probability of Congress passing legislation this year.

The question here is timing. If the Senate champions driving this legislative vehicle can release details this month, it is theoretically possible that the respective committees could approve language that could be considered by the full Senate in July. That said, in addition to surprise billing, this package is expected to include language to lower drug costs. There are nearly a dozen drug pricing bills in the Senate from various members, many of which are bipartisan bills. For House and Senate champions, the larger this package grows, the more challenging it will become to pass.

The House has also passed a number of bills designed to strengthen the Affordable Care Act (ACA). While these bills are almost certainly not going to be considered in the Senate, it could slow the process down in addition to raising political temperatures if House Democrats insist on certain measures getting considered.

Lastly, it is important to keep in mind deadlines. The end of the fiscal year is September 30, 2019, and Congress will have to pass legislation to fund or address several important programs, including Community Health Center funding, teaching health center funding, the National Health Service Corps, and the Medicaid Disproportionate share hospital delay. While this package is separate from the cost-containment package being developed in the Senate, the two packages are inextricably linked as Congress may need a “must-pass” vehicle like this extendsers package to move bipartisan legislation.

### **MORE DRUG BILLS ON THE DOCKET**

Following passage of two [bipartisan drug pricing bills](#) last week, the House is expected to take up and pass H.R. 987, the Strengthening Health Care and Lowering Prescription Drug Costs Act. This bill is going through the [Rules Committee](#) this week which will enable it to incorporate a number of other drug pricing and ACA provisions considered through other committees. This package will then head over to the Senate where it is unlikely to pass itself, but certain provisions could be considered.

### **THIS WEEK IN THE HOUSE**

**Education & Labor** – Examining Older Americans Act: Promoting Independence and Dignity for Older Americans ([Wed @ 10:15](#))

**Ways & Means** – Overcoming Racial Disparities and Social Determinants in the Maternal Mortality Crisis ([Thurs @ 10am](#))

**Oversight** – HIV Prevention Drug: Billions in Corporate Profits after Millions in Taxpayer Investments ([Thurs @ 10am](#))

### **THIS WEEK IN THE SENATE**

No hearings to report.

### **SIGN UP**

[MLSDCHealth@mintz.com](mailto:MLSDCHealth@mintz.com)

### **TEAM**

Alex Hecht  
Connie Garner  
Frank Guinta  
Aaron Josephson  
Kate Josephson  
Eli Greenspan