

# McDermottPlus Health Care Preview

WEEK OF JUNE 24, 2019



The last week before recess is shaping up to be a busy one.

- + **ALL EYES ON THE ADMINISTRATION.** The Administration is expected to release a transparency executive order as early as today. This executive order is rumored to direct agencies to require insurers, doctors and hospitals to provide information about the rates they negotiate and receive.
- + **SPEAKING OF TRANSPARENCY AND COST CONTAINMENT...** On Wednesday, the Senate Health, Education, Labor, and Pensions (HELP) Committee will be marking-up the Lower Health Care Costs Act (S. 1895), alongside the Emergency Medical Services for Children Reauthorization Act of 2019 (S. 1173) and Poison Center Network Enhancement Act of 2019 (S. 1199). Last week, the HELP Committee released its updated version of the Lower Health Care Costs Act. The updated version included several noteworthy changes, such as holding patients harmless from surprise air ambulance charges, funding some of the health care extenders up for reauthorization, and introducing new prescription drug and transparency measures. However, the change garnering the most attention is how the Committee addressed surprise billing through a benchmark rate pegged to the median in-network rate for a geographic area. The Congressional Budget Office (CBO) estimated that of the three put forth in the original discussion draft, this option would save the most money, at \$25 billion over 10 years (although an official CBO report has not yet been released). The House Energy and Commerce bill, the No Surprises Act, embraced a similar approach. Hospital and physician groups are unhappy with the median in-network benchmark rate decision.
- + **WHAT CAN WE EXPECT DURING THE MARK-UP?** First, it is unlikely that the bill that is marked-up on Wednesday will be word-for-word what we saw last week. The Committee was working over the weekend to iron out disagreements and we could see new provisions pop up for the mark-up if there is bipartisan agreement on them, and stakeholders have actively asked the HELP Committee to reconsider certain aspects of the legislation. We will be watching for additional changes to the bill and the new items that could be introduced. Stay tuned, it's only going to get more complicated from here on out.

## THIS WEEK IN THE SENATE

### Senate HELP Committee

Mark-Up

Wednesday, June 26 at 10:30 am

### Senate Judiciary Committee

Mark-Up

Thursday, June 27 at 10 am

## THIS WEEK IN THE HOUSE

### Energy & Commerce Health Subcommittee

Reauthorizing Vital Health Programs for American Families

Tuesday, June 25 at 10 am

## CONTACT INFO

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