



### King v. Burwell Update...

Like you, last week we [welcomed](#) the news that the Supreme Court had upheld the availability of tax subsidies for individuals living in states where the federal government operates the health insurance exchange. In addition to the call we did with you, we discussed the ruling on a call for members that is available on replay. You also can see our [AHASTAT blog](#) for an analysis of the decision by our outside counsel. We appreciated your support in the run-up to the decision and are very pleased we do not need to activate our contingency plans. **Now the focus can turn back to getting people covered.**

### Hill Update...

- **21st Century Cures** – The Cures bill could be on the House floor next week if offsets can be hashed out. We were successful in preventing any offsets coming from hospitals, as well as changes to the 340B program that were proposed last month. We're waiting to see final language for the interoperability provisions before weighing in on this latest version of the bill.
- **Medicare Patient Access to Cancer Treatment Act** – Reps. Mike Pompeo (R-KS) and Don Beyer (D-VA) late last week introduced the bill, which would increase payments under the Medicare program for cancer-related ambulatory care services furnished in the physician office setting in a budget-neutral manner by cutting hospital outpatient department payments. The legislation is similar to a bill previously proposed by Rep. Mike Rogers (R-MI). [Studies](#) show real differences between the patients treated in each setting, which is why we strongly oppose the bill.
- **On the Horizon** – We expect health care, and health care funding, to continue to be in the spotlight on the Hill in the coming weeks and months. The first threat – the highway bill expires at the end of the month with a \$90 billion price tag. Medicare could again be looked at as a piggybank. The Ways and Means Committee may take up the issue of physician-owned hospitals again. They also could look at a larger hospital-related legislative package in the fall. In addition, pressure continues to mount for a budget agreement to lift the caps on both domestic and defense spending. Clearly, Medicare and other mandatory spending will be looked at as an offset for this increase. Stay tuned.

### Regulatory Update...

- **Calendar Year 2016 OPSS Proposed Rule and Changes to the Two-midnight Policy** – Late yesterday, CMS released the outpatient PPS and ASC rule, which contained proposals related to the two-midnight policy. We were dismayed that miscalculations by the actuaries are resulting in a negative update overall and urged CMS to reevaluate its estimates. We were encouraged by the two-midnight related proposals but again urged CMS to withdraw the associated 0.2% cut and extend the partial enforcement delay beyond Sept. 30. See our [Special Bulletin](#) for a summary of the main provisions. We're on the lookout for the CY 2016 physician fee schedule rule, which will start to rollout the changes contained in the [Medicare Access and CHIP Reauthorization Act of 2015](#).
- **Advisories Available on MSSP and Medicaid Rules** – AHA summaries of the final Medicare Shared Savings Program rule and the Medicaid Managed Care proposed rule are now available at <http://www.aha.org/advisories>. **Watch for more** on the CY rules in the coming weeks.

### Of Note...

- **A Fond Farewell to Spencer Johnson** – Spence celebrated his final week with the Michigan Health & Hospital Association this week after 30 years. I know everyone joins me in wishing him the best in his retirement.
- **Health Forum Summit July 23-25** – You should have received a note last week from Debi Tucker cancelling the special session we had scheduled for July 23 to deal with potential contingency plans as a result of a negative decision in King v. Burwell. But we encourage you to still attend the Summit! There's still time to [register](#) if you have not done so already. You should have received instructions on taking advantage of complimentary registration for you and your board chair, plus other discounts, from Neil Jesuele. Contact Dave Parlin at [dparlin@aha.org](mailto:dparlin@aha.org) with questions.

### Out and About...

- This week I met with NAACP President and CEO Cornell William Brooks and leadership staff to introduce **Tomas Leon**, the new president and CEO of our [Institute for Diversity in Health Management](#), and discuss several of our ongoing diversity initiatives, including our National Call to Action, the Equity of Care Award and HRET's diversity and disparities survey. We also discussed IFD's new [2015 Fall Enrichment Program](#) and [Certificate in Diversity Management in Health Care](#), a 12-month fellowship to help diversity professions development leadership competencies. This meeting provided a good starting point for discussing additional collaborative opportunities.

Wishing you and your loved ones a happy and safe Independence Day holiday!

Stay safe!