

# American Nephrology Nurses Association

Daily Capitol Hill Update – Tuesday, April 7, 2020

(The following information comes from Bloomberg Government Website)

## Schedules: White House and Congress

### WHITE HOUSE

- 3pm: President Trump participates in a small business relief update
- 5pm: Briefing with White House coronavirus task force

### CONGRESS

- Senate Democrats will have a conference call at 1 p.m. to discuss next steps to address the coronavirus crisis, according to a Senate Democratic leadership aide

## Congressional, Health Policy, and Political News

- **Pelosi Sees \$1 Trillion Stimulus:** Lawmakers' next stimulus bill to prop up the U.S. economy reeling under the coronavirus outbreak will be at least \$1 trillion, Speaker Nancy Pelosi (D-Calif.) told members of her party yesterday on a private call. The next stimulus package would be focused on replenishing funds for programs established in Congress's \$2.2 trillion virus relief bill signed into law last month, according to people on the call. Pelosi said there should be additional direct payments to individuals, extended unemployment insurance, more resources for food stamps and more funds for the Paycheck Protection Program that provides loans to small businesses, lawmakers on the call said.
  - Pelosi also said the bill should assist state and local governments, with an emphasis on smaller municipalities with fewer than 500,000 residents, one lawmaker said. Pelosi has said she wants the next stimulus bill to be passed this month. The House isn't scheduled to be back in session until April 20 at the earliest. It is possible to pass legislation with most members out of town, as long as no one objects.
  - Congress is also likely to pass a massive stimulus later this spring that provides \$1 trillion just for infrastructure programs, former House Speaker John Boehner (R-Ohio) said. Boehner said the package carrying infrastructure funds will likely be the second of two measures – to be known as "Phase Four" and "Phase Five" – that Pelosi and Senate Majority Leader Mitch McConnell (R-Ky.) assemble in the next several weeks and try to enact by the summer. "When we get to Phase Five you're going to see infrastructure in a big way, I think, probably a trillion dollars," Boehner said yesterday during a conference call organized by the firm Squire, Patton, Boggs. "And a lot of other cats and dogs." Boehner, now an adviser to the firm, suggested that the infrastructure plan will be financed with emergency spending rather than any increase in user fees, including the federal gasoline tax. "It hadn't happened over the past 10 years because nobody had come up with a way to pay for it. But now paying for it isn't on the table," said Boehner.

- Boehner also expressed his optimism for a recovery fueled by American nimbleness. “We’re creative, we’re talented, there’s no other group of people on the face of the Earth like Americans,” he said on the call.
- **ACA Fixes Sought in Next Package:** Reps. Lauren Underwood (D-Ill.), Angie Craig (D-Minn.), and a group of 16 Democratic freshmen urged Speaker Nancy Pelosi (D-Calif.) to include legislative changes to the Affordable Care Act in the next stimulus package. Two changes are based on H.R. 1868, which they claim could cut premiums by “thousands of dollars” for over 10 million Americans eligible to buy insurance through the Obamacare marketplace, and H.R. 1425, which they say would “reduce premiums for consumers by helping to defray insurers’ costs and reduce their risk,” according to a statement. Read the letter here.
  - Pelosi told Democrats on a call yesterday that Congress’s next stimulus bill to prop up the U.S. economy during the coronavirus crisis will be at least another \$1 trillion. The package would be focused on replenishing funds for programs established in Congress’s \$2.2 trillion virus relief bill signed into law last month, according to people on the call. Pelosi said there should be additional direct payments to individuals, extended unemployment insurance, more resources for food stamps and more funds for the Paycheck Protection Plan that provides loans to small businesses, lawmakers on the call said.
- **FDA Opens Access to Infusion Pumps:** The FDA is expanding access to medical devices that pump necessary fluids into patients as health-care providers battle Covid-19. The FDA issued final guidance Sunday on devices that allow patients to continue therapy. Such infusion pumps are needed for patients that require intravenous infusions of medicine and other nutrition.
- **Nursing Homes Seek Help on Guidelines:** The nursing home industry, which is struggling to contain the spread of Covid-19, says it can’t comply with the Trump administration’s latest “critical recommendations” to stop the spread of disease in its facilities. Without adequate personal protective equipment, a healthy and fully staffed workforce, and priority testing of nursing home staff and residents for the coronavirus, “It is not possible to fully comply” with the April 2 directives from CMS and CDC, David Gifford, chief medical officer at the American Health Care Association, said in a statement.
- **Private Medicare Plans to Get Nearly 1.7% Hike:** The federal government will increase baseline payment rates for private Medicare health plans by an average of 1.66% in 2021. That’s more than 0.7 percentage points higher than the 0.93% increase that the Centers for Medicare & Medicaid Services had initially proposed in January for Medicare Advantage plans, according to the agency’s 2021 rate announcement released yesterday.
  - In a statement, Allyson Schwartz, president and CEO of the Better Medicare Alliance, said the group is encouraged that the CMS is protecting seniors’ coverage “with a rate that, while less than the rate increase allotted for 2020, represents an improvement from the Advance Notice issued earlier this year.”

- **Health Systems Shed Doctors:** Employment in both the health-care and social assistance sectors fell by 61,000 jobs in March, according to new data from the Bureau of Labor Statistics. For health care, the largest share of the losses were in dentist and physicians offices, which lost a combined 29,000 jobs in March, BLS data show. Hospital systems, including Hillcrest HealthCare in Oklahoma, have furloughed health-care providers and support staff because they've had to put on hold some lucrative elective surgeries and other procedures as patients stay home to avoid spreading the coronavirus.
  - Some groups have pointed out that the Health and Human Services Department has yet to distribute any of the \$100 billion in emergency funding earmarked for hospitals and health services. "Given our hospitals' urgent need for this support, we hope the administration will move forward quickly with a plan to distribute these funds," said Erin O'Malley, senior director of policy for America's Essential Hospitals.
  
- **Trump's Bailout Watchdog Draws Praise and Fear:** The White House lawyer tapped to oversee disbursements from a massive U.S. pandemic relief fund is a former seminarian with decades of oversight experience yet still faces questions over whether he'll do Trump's bidding instead of protecting taxpayers. Brian Miller will be the main watchdog over \$500 billion directed to big business by Secretary Steven Mnuchin's Treasury Department. The spending is part of a more than \$2 trillion rescue package passed by Congress to save an economy suffering under a virus-induced, stay-at-home coma.
  - Miller, 64, was born in New York City and is a 1977 graduate of Temple University in Philadelphia. He studied at Westminster Theological Seminary, and earned his law degree from the University of Texas School of Law in 1983. Since then he's probed health care fraud for the Justice Department and monitored spending at the General Services Administration.
  
- **Top Chefs Seek Restaurant Aid:** The Independent Restaurant Coalition, an organization founded during the coronavirus outbreak by well-known restaurateurs including "Top Chef" head judge Tom Colicchio, gathered 5,000 signatures for a letter sent to congressional leadership yesterday asking for more help in the next round of relief legislation. The letter asks lawmakers to create a Restaurant Stabilization Fund, enact tax rebates for the small restaurants that survive the crisis, and make changes to business interruption insurance, which in many cases doesn't cover the effects of the global pandemic.
  - Some of America's fast-food workers are finally getting face masks and emergency sick days to help get them through the coronavirus outbreak. Now the challenge for labor activists is to capitalize on the moment to win permanent improvements in pay and benefits. The rank and file wouldn't normally be in position to make demands in a job market that's suddenly teeming with millions of newly unemployed people. But with restaurant drive-thru and pickup services continuing through the pandemic, restaurant workers braving the front lines have won the moral high ground to ask for more protection from their employers. And, in many cases, they've gotten it -- a rare victory for employees in an industry known for its resistance to organized labor.

- **Fed Urged to Back Mortgage Servicers:** A bipartisan congressional group sent a letter to Federal Reserve Chairman Jerome Powell urging the central bank to prioritize ensuring adequate liquidity for the mortgage servicing market for both single- and multi-family residential and commercial mortgages. They're also requesting that the Term Asset-Backed Securities Loan Facility program be expanded to include investment-grade agency and private-label MBS and CMBS, as well as CRE CLOs, as eligible collateral.

  - Two key bank regulators are holding off on easing Wall Street debt limits in response to the coronavirus pandemic, leaving billions of dollars locked up at banking subsidiaries that could be used for lending amid the deepening economic crisis. For now, the Federal Reserve is the only U.S. banking watchdog that's relaxed a landmark leverage rule that stipulates how much capital banks must hold against their assets. The Office of the Comptroller of the Currency and the Federal Deposit Insurance Corp., which also enforce the rule, have privately indicated they aren't yet ready to follow its lead, said three people familiar with the matter.
- **Warnings About Stimulus Scams:** Senate Finance Chairman Chuck Grassley (R-Iowa) urged the IRS's watchdog to do more to educate Americans about potential scams related to economic stimulus payments that will soon be sent out. Grassley in a letter yesterday urged the Treasury Inspector General for Tax Administration to make "every reasonable effort" to raise awareness about potential fraud schemes during the pandemic. He also requested that the IRS's watchdog brief his panel on efforts to combat coronavirus-related fraud.
- **Trump Disputes Report on Shortages:** Trump disputed a federal government watchdog's finding that hospitals are seeing severe shortages of Covid-19 testing kits and protective gear, and suggested a political motive by the official who produced it. "It's just wrong," he said of the report at a White House news conference yesterday, without offering any substantiation. He then demanded to know the name of the U.S. inspector general who produced the study. "Give me the name of the inspector general. Could politics have entered into that?"

  - The inspector general's office at Health and Human Services yesterday published a report on widespread coronavirus testing and medical supply shortages, based on surveys of more than 300 U.S. hospitals in late March.
- **Imports for Pandemic Response:** House Ways and Means Chairman Richard Neal (D-Mass.) and Senate Finance Chairman Chuck Grassley requested the International Trade Commission to investigate and identify the imports necessary for treating and otherwise responding to the coronavirus pandemic. Neal and Grassley requested an ITC report no later than April 30 in a letter sent yesterday. The probe will allow the committees and U.S. Trade Representative Robert Lighthizer to take appropriate actions, they said in the letter.
- **Trump Eases Export Restrictions, Touts Deal With 3M:** Trump said his administration reached a deal with manufacturer 3M to produce about 55.5 million masks a month for U.S. health-care workers and others combating the coronavirus. The company said it will be

allowed to continue exporting some masks to Canada and Latin America from the U.S. “So the 3M saga ends very happily,” Trump said at the White House news conference.

- Trump eased restrictions on exports of masks and other protective equipment needed to fight the Covid-19 pandemic just days after their introduction as he confronted a backlash from allies around the world. Faced with domestic criticism of his administration’s handling of the Covid-19 crisis and cries of shortages from hospitals on the front lines, Trump late Friday imposed a ban on exports of N95 masks, surgical gloves and other protective equipment, including from 3M.
- **Inmates to Make Cloth Masks:** Federal prisoners have started producing cloth masks to help protect themselves and the correctional officers who guard them from coronavirus, one in a series of actions to try to quash outbreaks across the inmate population. The federal prison industries program is making cloth masks for all federal prisons, while emergency surgical face masks are being given to a limited number of inmates and staffers, according to a Bureau of Prisons memo issued yesterday.
- **Big Pharma Makes a Big Bet on a Fast Vaccine:** Much about the coronavirus has defied belief – the speed at which it has spread around the world, the insidious way it penetrates the lungs, the unexpected impact it’s having on young people in some parts of the world while sparing them elsewhere. The most effective way to stop it would be to vaccinate the global population. For that to happen in the next year or so, an almost equally implausible set of circumstances has to occur: flawless scientific execution, breakneck trials, and a military-style manufacturing mobilization unlike any the pharmaceutical industry has put in place before. Normally it takes 10 or 15 years of careful lab work and meticulous testing to bring a totally new vaccine to market. For the coronavirus, the drug industry hopes to compress this time frame by tenfold. This may sound like mission impossible, but Big Pharma wouldn’t be working this hard if it didn’t think it had a shot at pulling it off.
- **Javits Center Has 44 Virus Cases:** New York’s Javits Convention Center has just 44 coronavirus patients in treatment so far, and it’ll hit a 1,700-bed capacity this Friday, the Pentagon said, in a signal that the emergency facility provided by the military can offer more aid to the city’s overwhelmed hospitals.
  - Meanwhile Trump and New York Gov. Andrew Cuomo (D) confirmed yesterday the 1,000-bed U.S. Navy ship sent to New York City last week will treat coronavirus patients. The USNS Comfort was originally to provide backup support for non-virus infected hospital patients, as Pentagon officials said Friday it wasn’t equipped to treat infectious diseases en masse.
- **India Partially Lifts Malaria Drug Export Ban on Trump Call:** India partially lifted a ban on the exports of a malaria drug after Trump sought supplies for the U.S., according to government officials with knowledge of the matter. Exports of hydroxychloroquine and paracetamol will be allowed depending on availability of stock after meeting domestic requirements and existing orders, said the government officials, who asked not to be

identified citing rules. Shipments will be restricted and permission will be on humanitarian ground, they added.

- Meanwhile, former FDA leaders cautioned against shortchanging science in a rush to get unproven Covid-19 treatments like hydroxychloroquine to the marketplace. The comments yesterday, from Margaret Hamburg and Mark McClellan – both former FDA commissioners – join a growing body of voices in the scientific community warning about providing “false hope” to patients looking for a treatment.
- **Trump Weighs In on Navy Secretary:** Trump said he’d weigh in on the acting Navy secretary’s stinging rebuke of an aircraft carrier captain who was relieved of command after raising alarm over the spread of the coronavirus on his ship. “I am going to get involved and see what’s going on there,” Trump said. Captain Brett Crozier of the USS Theodore Roosevelt was ousted last week after writing a memo pleading for assistance with the coronavirus outbreak on the nuclear-powered aircraft carrier sidelined in Guam. On Monday, news groups reported that acting Navy Secretary Thomas Modly told the Roosevelt’s crew that Crozier was “too naive or too stupid to be the commanding officer.” Modly last night apologized for his remarks.
- **Biden Talks With Trump on Virus:** Trump and his likely Democratic challenger Joe Biden spoke over telephone yesterday about the coronavirus outbreak after the former vice president offered to share with the administration his ideas for combating the pandemic. Both sides offered positive initial readouts of the 15-minute discussion, with the president calling it “really good,” and Biden deputy campaign manager Kate Bedingfield saying it was a “good call.” Bedingfield said Biden used the call to share “several suggestions for actions the administration can take now to address” the pandemic.
- **John Lewis Endorses Biden:** Rep. John Lewis (D-Ga.), an icon of the Civil Rights movement, endorsed Biden today, becoming the latest Democrat to support the former vice president as he tries to wrap up the Democratic presidential nomination. Lewis’ endorsement comes as Biden has amassed a nearly insurmountable lead in delegates over his only remaining competitor, Sen. Bernie Sanders (I-Vt.). Biden is looking to extend that lead today when Wisconsin holds its primary contest.
- **Wisconsin Primary to Proceed Today:** The Wisconsin primary will proceed as scheduled today, after the state Supreme Court blocked a last-minute attempt by Gov. Tony Evers (D) to postpone in-person votes by an executive order. The state court on a 4-2 vote sided with Republicans who argued that the governor lacked the authority to change the date of the election, meaning that in-person votes will go on despite his stay-at-home order over coronavirus worries. In a separate blow to Evers on Monday, the U.S. Supreme Court reinstated a deadline for mailing absentee ballots in the primary.
- **Labor, Employment Picks Reach Hill by Phone:** Trump’s picks for the National Labor Relations Board and the Equal Employment Opportunity Commission will interview with senators and staffers responsible for approving the nominations over the next two weeks,

sources familiar with the process said. The interviews, an important part of the nominee-vetting process, will be conducted over phone or other means due to the congressional recess and social distancing measures.

- **Inspector General Picks:** Trump yesterday sent five nominations to the Senate, including Jason Abend to be the inspector general for the Department of Defense yesterday. Glenn Fine has been serving in an acting capacity in the role since 2016.
  - Andrew De Mello, a Department of Justice attorney, was nominated fill the inspector general post at the Department of Education, a position that has been vacant for more than a year. The White House last year backtracked on its pick for acting inspector general after congressional Democrats said the nomination of Phil Rosenfelt, an Education Department official, posed a conflict of interest.
  - Peter Michael Thomson was nominated to be inspector general for the Central Intelligence Agency, while Brian Miller was nominated to serve in the new role created under the third coronavirus response package, special inspector general for pandemic recovery. Democrats have criticized the nomination of Miller, who is Trump's lawyer, to oversee the multi-trillion dollar coronavirus stimulus effort.
  
- **Trump Says Free Market Will Curb U.S. Oil Output:** Trump gave the strongest signal yet the U.S. might not join Saudi Arabia, Russia and other major producers in coordinated oil-production cuts, even as plunging crude prices put thousands of American shale jobs at risk. While OPEC and its allies prepare for a meeting on Thursday to forge an unprecedented output-cut deal, Trump told reporters in Washington that the free market would work to curb American production. Though the president has touted global output cuts of 10 million to 15 million barrels a day to stabilize prices, he's been reticent to commit the U.S. to such an effort, suggesting instead that Saudi Arabia and Russia should bear the brunt.