



Congress/Appropriations

The beginning of the 114th Congress' 2nd legislative session seemed ripe for action and bipartisan legislative activity. The end of the first legislative session in December saw the passage of the Fiscal Year (FY) 2016 Consolidated Appropriations Act, which fully funded the government through September 30th, 2016 and there was a push for a return to regular order, through passing budgets and appropriations measures, as opposed to passing only short-term funding.

As has been tradition, the budget process began with the release of President Obama's Budget proposal for FY 2017 on February 9th. Included within the budget proposal were recommendations that Congress maintain funding levels for \$229 million in Title VIII Nursing Programs at the Health Resources and Services Administration (HRSA), including \$64 million for Advanced Education Nursing; \$39 million for Nurse Education, Practice and Retention; \$15 million for Nursing Workforce Diversity; \$83 million to aid in loan repayment and scholarships; and \$26 million for the Nursing Faculty Loan Program. Additionally, the President's proposal included a recommendation for \$145 million in funding for the National Institute of Nursing Research (NINR) at the National Institutes of Health (NIH), a slight decrease from FY 2016 when the program was funded at \$146 million.

As they say, actions most certainly speak louder than words. In the House of Representatives, appropriations and legislative activity continue to be mired by budget hardliners, who disapproved of last year's budget deal and who have publicly rejected the increased spending limits to be attached to this year's budget. Several Appropriations subcommittees in each chamber have passed their own budgets; however, the prospects for a negotiated deal appear murky at this point. Most pundits believe that October 1st, 2016 will coincide with a short-term Continuing Resolution (CR), which would approve a continuation of the previous year's budget levels.

Payment, Practice and Regulatory Issues

The House Appropriations Subcommittee on Agriculture, Rural Development, and Food and Drug Administration (FDA) passed a budget and an accompanying report (H.Rept. 114-531), which includes two sections related to tanning and sunscreen. Under the FDA section, the Committee issued report language on "Indoor Tanning Devices," noting concerns with December's proposed rules on sunlamp products and requesting that the FDA hold meetings with industry officials as they finalize the proposed rules. Also, the Committee addressed concerns on sunscreen ingredients. The Committee noted that, "... the FDA has still not approved a new OTC sunscreen ingredient through the process created by the SIA (Sunscreen Innovation Act)." Through the Report, the Committee directed the FDA to work with stakeholders to develop a benefit-risk testing regimen, and to reach an agreement on that regimen by June 20, 2016. Finally, through the SIA, the Committee reminded the FDA that they are required to report to the Senate Health, Education, Labor and Pensions (HELP) and House Energy and Commerce Committees on the status of their implementation of the Act on or before May 26, 2016.

Health Care Reform Implementation

As we mentioned in the last newsletter, Senate Republicans had been working on a strategy to repeal provisions of the Affordable Care Act (ACA), particularly the "Cadillac Tax" and the "Medical Device Tax." As part of the FY 2016 Consolidated Appropriations Act, President Obama signed into law a two-year delay on both the Cadillac Tax and the Medical Device Tax, in addition to a one-year delay on the health insurance tax (HIT). The HIT is a fixed-dollar pool distributed among health insurance providers in the fully-insured market based on their net premiums. Each year, the pool rises (\$8 billion in 2014; \$13.9 billion in 2017; etc.) and each insurance provider's contribution to that pool will vary accordingly when the tax resumes in 2017.

The delay of those three taxes can be described as the first tangible victory for Republicans in their efforts to negate the ACA. While the House GOP has passed at least 62 full or partial repeals of the ACA, they have yet to produce an alternative in legislative form. However, the Republican leadership has promised an alternative before the Republican convention in July. The proposal will likely include a deduction as an alternative to the subsidies component of the ACA. Speaker Ryan noted that the plan will be an outline and not a legislative initiative.

Advocacy in Action

Members of Congress and their staff are increasingly reliant on electronic forms of communication. A robust campaign on social media, and encouraging your friends and colleagues to participate, is a great way to engage with your federal legislators and educate them about these important issues. Consider writing a brief email to your Member or their staff to highlight Title VIII Nursing Programs administered by the Health Resources and Services Administration (HRSA) and the National Institute of Nursing Research (NINR) at NIH. These programs are important to our mission of promoting excellence in the field of nursing and dermatologic care. As you may also know, May is Melanoma month, and tweeting a message to your members is a great way to raise awareness.

Increased funding for the Title VIII Nursing Programs and the NINR is only possible through your hard work and advocacy. Your voice and thoughts are invaluable, as Members of Congress will seek input from you, their constituents, in the busy appropriations season of the 114th Congress. Thank you for your advocacy.