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Health Care Policy

Senate OKs Spending Boost for Medical Research, Opioid Battle

The Senate Aug. 23 approved an \$875 billion spending package boosting federal medical research dollars for 2019 and laying the groundwork for requiring drug-makers to publish the cost of their medicines in their advertising.

The measure, which passed 85-7, builds on recent efforts to bolster funding for medical research and to address the nation's deadly opioid crisis. It increases funding for the National Institutes of Health by \$2 billion, building on a similar increase made for fiscal year 2018. The spending bill also includes \$3.7 billion for opioid prevention and treatment efforts, a \$145 million increase over fiscal 2018.

"We've made opioids a priority, something we want to take on," Sen. Roy Blunt (R-Mo.), chairman of the Senate Labor-HHS appropriations subcommittee, told Bloomberg Law.

The spending measure awaits action by the House, which has not passed a similar spending bill for the departments of Labor, Health and Human Services, and Education.

The House spending bill for the departments of Labor and HHS has key differences the two chambers would need to hash out, however.

A House panel has teed up a \$177.1 billion spending bill, \$2 billion less than the Senate version, which contains key changes to federal immigration and adoption policies that could become sticking points for lawmakers. It also looks to cut funding for health programs Democrats favor, namely to the abortion-provider Planned Parenthood.

The Senate spending measure included a provision pushed by Sens. Dick Durbin (D-Ill.) and Charles Grassley (R-Iowa) that gives money to HHS Secretary Alex Azar to lay out regulations to require drugmakers to disclose the price of their products in direct-to-consumer ads.

Grassley told reporters the measure was opposed by Sen. Orrin Hatch (R-Utah), chairman of the powerful Senate Finance Committee. Durbin said several prominent Republicans opposed the measure. A spokesperson for Hatch declined to comment on his opposition, but Hatch told reporters Aug. 23 he wasn't even aware of the amendment.

The two chambers will likely form a conference committee to create a compromise spending package to send to the president's desk to be signed into law.

Contentious Measures After a contentious afternoon of bargaining, the Senate teed up a vote on an amendment by Sen. Rand Paul (R-Ky.) to deny federal funds to the abortion provider Planned Parenthood. The measure failed 45-48, but will likely be used as campaign fodder in the weeks to come.

Anti-abortion Democrats like Sens. Joe Manchin III (D-W.Va.) and Joe Donnelly (D-Ind.) faced immediate criticism from Republicans for voting against the amendment. Both are up for re-election and voted against the abortion measure.

A spokesperson for the National Republican Senate Committee released a statement condemning both Manchin and Donnelly for voting against the amendment.

Paul's amendment almost didn't get a vote after Republican leaders sought to oppose it, Paul said on the Senate floor. He said Republicans didn't want to also have to vote on an amendment by Manchin to oppose a lawsuit challenging Obamacare.

However, ultimately senators agreed to hold a vote on Paul's amendment but not on Manchin's amendment.

Planned Parenthood receives funding from Bloomberg Philanthropies, the charitable organization founded by Michael Bloomberg. Bloomberg Law is operated by entities controlled by Michael Bloomberg.

Key Provisions The Senate spending bill, like ones approved in previous years, won't fund Obamacare's risk corridor program, meant to offset losses for some insurers, and requires federal officials to notify Congress about spending related to the health law.

It includes a measure touted by Sen. Patty Murray (D-Wash.), the ranking Democrat on the Senate Labor-Health and Human Services appropriations panel, that would "increase transparency" for the HHS division responsible for housing children separated from their parents for entering the country illegally. Under the bill, the HHS would have to report regularly on the children in its care.

The measure also preserves funding for two Democratic priorities, Title X and the Teen Pregnancy Program, which deal with family planning issues. The House version makes deep cuts to these programs.

Boosting HHS spending is a rejection of the Trump administration's request to cut many health programs next year.

If signed into law, a fiscal 2019 increase would mark the fourth consecutive annual boost for the NIH, which legislators on both sides of the aisle have said would

support faster development of cures that could in turn reduce health-care costs.

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