HALL RENDER'S THIS WEEK IN WASHINGTON – APRIL 14, 2017

CONGRESS REMAINS DIVIDED ON ACA REPEAL BILL

Although Republican leadership in the House raised the prospect of lawmakers returning early from the current two-week Easter recess to pass the American Health Care Act, it appears Congress will remain out of session until the week of April 24. And, once the House is back in session, objections to the bill raised by the conservative House Freedom Caucus will likely continue. With Democrats unwilling to help Republicans with any effort to repeal the Affordable Care Act ("ACA"), progress on the legislation appears unlikely as lawmakers face other pressing issues upon their return.

One such issue is appropriations. Government funding expires April 28, and Congress will need to pass a continuing resolution or a fiscal year 2017 appropriations package in order to avoid a government shutdown. Democrats have indicated they may withhold support unless substantial ACA cost sharing subsidies are included in the funding package. Top Republican appropriators in the House have said they have no plans to fund the cost-sharing program, which raises chances of a government shutdown.

CMS ISSUES FINAL MARKET STABILIZATION RULE

On April 13, CMS issued a final rule aimed at stabilizing the ACA Health Insurance Marketplaces. The stabilization rule is the Trump administration's first major change to the ACA and could potentially alleviate some concerns of conservative House Freedom Caucus members, which could make House passage of health care reform legislation more likely than it is now.

The final rule, which adheres closely to the proposed rule issued in February, contains numerous incentives for insurers to remain in ACA marketplaces. It requires individuals signing up for insurance outside of the standard enrollment window to prove eligibility before getting coverage. The rule also cuts the open enrollment period for 2018 in half, from three to six weeks, to align with the enrollment periods for Medicare and employer-based plans. The rule would also require exchange customers to settle their debts before they can sign up for new coverage with the same insurer. In addition, CMS made a number of announcements regarding the process that issuers must follow to meet the law's requirements for the 2018 plan year, including a chart of the key dates for 2017.

HEALTH-RELATED BILLS INTRODUCED THIS WEEK

There were no health-focused bills introduced this week as Congress was on recess.

NEXT WEEK IN WASHINGTON

Congress remains out of session. The House and Senate return the week of April 24.

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