



HIV and Viral Hepatitis Policy Watch

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The *Policy Watch* provides timely updates and resources on Hill and Administration activities impacting HIV and viral hepatitis programs. Please go to NASTAD's website at www.NASTAD.org for more information.

Congress

FY2012 Appropriations

Congress recently passed its continuing resolution (CR) for FY2012, which is scheduled to fund the government until November 18, 2011. It is unclear if Congress will pass another CR, an omnibus, or "minibus" (a few bills instead of the full 12 appropriation bills). Much will depend on what provisions come out of the Joint Deficit Committee (also known as the Supercommittee). The Senate Appropriations Committee passed the Labor HHS spending bill out of Committee. FY2012 levels are \$309 million less than FY2011. The House Labor HHS FY2012 levels are \$4 billion less than FY2011 and although the bill did not go up for mark-up, it was released. Of particular concern, the House bill bans the use of federal funding for syringe exchange programs and includes language that prohibits funding for the implementation of the Affordable Care Act, including the elimination of the Prevention and Public Health Fund (PPHF). NASTAD signed on to a [letter](#) in support of the PPHF. Further information on the Senate and House recommendations can be found [here](#). The House and Senate will begin conference negotiations to develop a final FY2012 Labor HHS appropriations bill later this month.

The FY2012 appropriations process will depend on what provisions come out of the Joint Deficit Committee (also known as the Supercommittee). Democratic Leader Nancy Pelosi and the 16 Democratic Ranking Members of House Committees issued [recommendations](#) to the Supercommittee for job creation, revenue and savings within their jurisdiction. The Democratic Leader and committee chairs reiterate the importance of the Supercommittee completing its work to avoid sequestration (across the board cuts to programs), as out-lined in the Budget Control Act of 2011.

Congressional HIV/AIDS Caucus

As previously reported, the bipartisan HIV/AIDS Caucus was launched on September 15, 2011. The Caucus, led by three Co-Chairs, Representatives Barbara Lee (D-CA), Trent Franks (R-AZ) and Jim McDermott (D-WA), recently became bi-cameral with the addition of Senator John Boozman (R-AR). Currently there are 61 [members](#) of the Caucus. The purpose of the Caucus is to create a forum for Members of Congress to address the significant issues surrounding HIV/AIDS through regular events, briefings, conferences, and other means designed to bring broader attention and better focus to the pandemic.

HIV Criminalization Legislation

Representative Barbara Lee (D-CA) has introduced [HR3053 Repeal HIV Discrimination Act](#) to end HIV criminalization. The bill creates incentives and support for states to reform existing statutes targeting people with HIV for felony charges and severe punishments for behavior that is otherwise legal or that poses no measurable risk of HIV transmission. NASTAD has endorsed the legislation and continues follow-up activities in support of its [Policy Statement](#) and member commitments to examine existing public health policies related to HIV criminalization that may exacerbate stigma and discrimination and lessen the likelihood that individuals will learn their HIV status.

Administration

IOM Essential Benefits Report

The Institute of Medicine (IOM) recently released the [Essential Health Benefits: Balancing Coverage and Cost](#) report with a set of recommendations on how the health law's essential benefits package should be determined. HHS requested that IOM recommend a process that would help define the benefits that should be included in the Essential Health Benefits (EHB), and update the benefits to take into account advances in science, gaps in access, and the effect of any benefit changes on cost. The purpose was *not* to decide what is covered in the EHB, but rather to propose a set of criteria and methods that should be used in deciding what benefits are most important for coverage. NASTAD also signed on to a [letter](#) to Secretary Sebelius urging her to ensure that the EHB package support high quality, effective HIV care and treatment.

HHS Viral Hepatitis Action Plan

The Department of Health and Human Services (HHS) recently released an [update](#) on the *National Strategy for Prevention and Control of Hepatitis B and C*. The Strategy offers 22 recommendations regarding surveillance, education and training, immunization and health services.

Resources

KFF Report

Kaiser Family Foundation (KFF) recently released a report on Medicaid's current role in providing health coverage for people with HIV. The comprehensive report can be viewed [here](#).

National HIV/AIDS Strategy

Representatives of federal Operating Divisions and Staff Offices from across HHS recently gathered to discuss HHS progress on the National HIV/AIDS Strategy (NHAS). Ron Valdiserri's recent blog post on the meeting can be viewed [here](#).

Legislation

NASTAD has updated its legislation of interest [grid](#) for the 112th Congress to include the most recent HIV, STD and viral hepatitis legislation.

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