

Wynne Health Group Weekly



FRAMING THE WEEK

Infrastructure

President Joe Biden is slated to unveil the **American Families Plan**, “the human infrastructure” component of his broader infrastructure plan, in his first address to a joint session of Congress on Wednesday (April 28). The American Families Plan is expected to focus on child care, paid family leave, and education. With questions remaining on whether health care and prescription drug pricing reforms will be part of Biden’s new plan, congressional Democrats are ramping up pressure on the White House to prioritize these issues.

Yesterday, Sen. Bernie Sanders (I-VT) and 16 Senate Democrats sent a [letter](#) to Biden urging him to include **structural reforms to Medicare** in his forthcoming plan. Several members of [Democratic leadership](#) signed on to the letter, including Sen. Dick Durbin (D-IL) who serves as Democratic Whip and Sen. Debbie Stabenow (D-MI) who chairs the Policy and Communications Committee, indicating the proposals’ broad support. They asked Biden to:

- **Lower the eligibility age for Medicare.** Stabenow recently [reintroduced](#) the Medicare at 50 Act, which would allow individuals between the ages of 50 and 64 years old to buy into Medicare.
- **Expand Medicare benefits to include hearing, dental, and vision care.**
- **Establish an out-of-pocket spending maximum in traditional Medicare** similar to the limits for Medicare Advantage and private insurance plans under the Affordable Care Act (ACA).
- **Allow Medicare to negotiate drug prices with pharmaceutical companies** to pay for these reforms.

Similarly, House Speaker Nancy Pelosi (D-CA) is advocating for the inclusion of Medicare drug price negotiation and other health reforms in Biden’s plan. “Lowering health costs and prescription drug prices will be a top priority for House Democrats to be included in the American Families Plan,” [said](#) Pelosi at the reintroduction of the Elijah E. Cummings Lower Drug Costs Now Act ([H.R. 3](#)). She also called on Congress to make permanent the temporary increase in **ACA premium tax credits** for 2021 and 2022 that were included in the American Rescue Plan Act ([P.L. 117-2](#)).

As for the infrastructure-focused American Jobs Plan, the White House appears to be considering the [\\$568 billion counterproposal](#) from Republicans, roughly a quarter of the size of Biden’s [proposal](#) and narrowly focused on what they consider to be traditional infrastructure (i.e., transportation, drinking water, and broadband). In response to Biden’s proposal to increase the corporate tax rate to 28 percent from 21 percent,

Republicans propose reprogramming unused appropriated COVID-19 funds and imposing new user fees (e.g., on electric vehicles) to pay for the investments in infrastructure.

Hearings

On Wednesday, the House Ways and Means Subcommittee on Health will [discuss](#) the future of Medicare's coverage of **telehealth services** once the COVID-19 public health emergency ends. In its March [report](#) to Congress, the Medicare Payment Advisory Commission (MedPAC) recommended a conservative approach to telehealth expansion, calling for a time-limited period in which Medicare coverage of telehealth remains broadly available to beneficiaries and gives lawmakers additional time to examine the impact of telehealth on access, quality and cost.

As noted in our calendar below, committees in both chambers will hold hearings this week on various components of Biden's infrastructure plan, such as **child care, education, and workforce development**. Regarding COVID-19, House committees will hold a [hearing](#) to better understand what is needed to care for patients with **"long COVID"** and a [hearing](#) on the status of the emergency temporary standard (ETS) intended to **protect workers from COVID-19**. In an [executive order](#), Biden directed the Occupational Safety and Health Administration (OSHA) to issue an ETS by March 15 if one was determined to be necessary. Labor Secretary recently requested the ETS be put on hold to allow for additional analysis.

Additionally, the Senate Health, Education, Labor and Pensions (HELP) Committee will [discuss](#) how lessons learned from the COVID-19 response might address **mental health and substance use disorder**, both major [spending priorities](#) for the Biden Administration.

HHS and CMS Nominations

Later this week, the Senate may vote on the nomination of Andrea Joan Palm to be **Deputy Secretary of Health and Human Services (HHS)**, who was approved by the Senate Finance Committee (SFC) in a 20-8 vote. The timing of full Senate consideration of Chiquita Brooks-LaSure, Biden's pick to lead the **Centers for Medicare and Medicaid Service**, is less clear following the tied vote in SFC and objections by Senate Republicans to the Biden Administration's revocation of Texas's Medicaid waiver. Both Palm and Brooks-LaSure are expected to be confirmed.

Regulatory Update

The **Fiscal Year (FY) 2022 Inpatient Prospective Payment System (IPPS) proposed rule** has now [cleared](#) review at the Office of Management and Budget (OMB). Its release is now expected imminently and could appear as early as today for public inspection at the *Federal Register*. In addition to payment updates for inpatient hospital care and other policy changes, the rule may also include a request for information seeking input on ways to advance health equity through improving data collection. Such a request was included in the other proposed FY 2022 Medicare payment updates released earlier this month.

THIS WEEK IN HEALTH POLICY

Mon. (4/26)

- **2:00pm-2:30pm – DOL Webcast: COBRA** – The Department of Labor hosts a compliance assistance webcast to discuss COBRA premium assistance under the American Rescue Plan Act of 2021. [Details.](#)
- **3:00pm – Census Bureau News Conference** – The U.S. Census Bureau hosts a news conference on the release of apportionment results from the 2020 Census. [Details.](#)

Tue. (4/27)

- **10:00am – Hearing: Child Care** – The Senate Health, Education, Labor and Pensions Committee convenes a hearing titled, “Supporting Children, Workers and Families by Strengthening America’s Child Care Sector.” [Details.](#)
- **2:30pm – Hearing: Taxes** – The Senate Finance Subcommittee on Fiscal Responsibility and Economic Growth convenes a hearing titled, “Creating Opportunity Through a Fairer Tax System.” [Details.](#)

Wed. (4/28)

- **9:00pm – Presidential Address** – President Joe Biden will address a Joint Session of Congress.
- **10:00am – Hearing: Mental and SUD** – The Senate Health, Education, Labor and Pensions Committee convenes a hearing titled, “Examining Our COVID-19 Response: Using Lessons Learned to Address Mental Health and Substance Use Disorders.” [Details.](#)
- **10:00am – Hearing: FY 2022 Budget** – The House Appropriations Subcommittee on Labor, HHS, Education, and Related Agencies convenes a hearing to discuss the FY 2022 budget request for the Department of Labor. [Details.](#)
- **10:00am – Hearing: IHS** – The Senate Appropriations Subcommittee on Interior, Environment, and Related Agencies convenes a hearing titled, “Addressing Health Disparities in Indian Country: Review of the Indian Health Service’s COVID Response and Future Needs.” [Details.](#)
- **11:00am – Hearing: COVID-19** – The House Energy and Commerce Subcommittee on Health convenes a hearing titled, “The Long Haul: Forging a Path through the Lingering Effects of COVID-19.” [Details.](#)
- **12:00pm – Hearing: Infrastructure** – The House Education and Labor Committee convenes a hearing titled, “Building Back Better: Investing in Improving Schools, Creating Jobs, and Strengthening Families and our Economy.” [Details.](#)
- **12:00pm – Hearing: Food Insecurity** – The House Rules Committee convenes a hearing titled, “Ending Hunger in America: Challenges, Opportunities, and Building the Political Will to Succeed.” [Details.](#)
- **2:00pm – Hearing: Telehealth** – The House Ways and Means Subcommittee on Health convenes a hearing titled, “Charting the Path Forward for Telehealth.” [Details.](#)
- **3:00pm – Hearing: VA Telehealth** – The Senate Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies convenes a hearing titled, “VA Telehealth Program: Leveraging Recent Investments to Build Future Capacity.” [Details.](#)

Thurs. (4/29)

- **9:30am – Hearing: COVID-19** – The Senate Special Committee on Aging convenes a hearing titled, “A Changing Workforce: Supporting Older Workers Amid the COVID-19 Pandemic and Beyond.” [Details.](#)
- **10:00am – Hearing: Social Security** – The Senate Finance Committee convenes a hearing titled, “Social Security During COVID: How the Pandemic Hampered Access to Benefits and Strategies for Improving Service Delivery.” [Details.](#)
- **1:00pm – Hearing: Federal Spending** – The House Budget Committee convenes a hearing titled, “Protecting our Democracy: Reasserting Congress’ Power of the Purse.” [Details.](#)

- **1:30pm – Hearing: Infrastructure** – The House Ways and Means Subcommittee on Trade convenes a hearing titled, “Advancing U.S. Economic Competitiveness, Equity, and Sustainability Through Infrastructure Investments.” [Details](#).

Fri. (4/30)

- **2:00pm-6:00pm – HHS Meeting: COVID-19** – HHS convenes a meeting of the COVID-19 Health Equity Task Force. [Details](#).
- **2:00pm – Hearing: COVID-19** – The House Education and Labor Subcommittee on Workforce Protections convenes a hearing titled, “Protecting Workers from COVID-19: Monitoring the Status of OSHA’s Emergency Temporary Standard.” [Details](#).

Additional Multi-Day Events

- **April 27-April 28 – CMS: Health Equity** – CMS hosts a two-day virtual form titled, “The Road to Equity: Examining Structural Racism in Health Care.” [Details](#).

FEATURED WHG ANALYSIS

- **Summary of Recent Federal Actions on Maternal Health & Gender Equity** – In the Policy Hub Insight Bank [here](#).
- **WHG Catalogue of COVID-19 Government Response** – March Edition – In the Policy Hub Insight Bank [here](#).
- **Prospects for Drug Pricing Reform Under a Biden-Harris Administration** – Featured on The Commonwealth Fund’s *To the Point* [here](#).
- **Support for States’ COVID-19 Response Efforts in the American Rescue Plan** – Featured on The Commonwealth Fund’s *To the Point* [here](#).
- **WHG Summary of Biden-Harris Executive Actions Related to Health Equity and Racial Justice** – In the Policy Hub Insight Bank [here](#).

CONGRESSIONAL LOOKBACK

Thurs. (4/22)

House Democrats reintroduced H.R. 3, the Elijah E. Cummings Lower Drug Costs Now Act ([press release](#)). [Details](#).

REGULATORY LOOKBACK

Fri. (4/23)

CMS issued an extension of the “Medicare Program; Durable Medical Equipment Fee Schedule Adjustments to Resume the Transitional 50/50 Blended Rates to Provide Relief in Rural Areas and Non-Contiguous Areas” interim final rule. [Details](#).

Thurs. (4/22)

- **CMS announced** it would make a record \$80 million in [grants](#) available to Marketplace navigators for the 2022 plan year. [Details](#).
- **HHS Secretary Becerra renewed** the public health emergency (PHE) declaration for another 90 days to July 20, 2021. [Details](#).

Weds. (4/21)

- **HHS Secretary Becerra renewed** the public health emergency (PHE) declaration on April 21, 2021. This extends the PHE another 90 days to July 20, 2021. [Details](#).

- **The White House** [issued](#) a fact sheet announcing President Biden's call to all U.S. employers to provide full paid time off (PTO) to employees for any time they require to receive a COVID-19 vaccination and any subsequent time needed for recovery. [Details](#).

Tues. (4/20)

- **ASPE** [released](#) an array of issue briefs that discuss behavioral health, mental health, and substance use disorder (SUD) treatment needs, unmet needs, and system capacity. [Details](#).

Mon. (4/19)

- **CMS** released the 2019 Medicare Current Beneficiary Survey (MCBS) Early Look [Data Brief](#). [Details](#).
- **HHS** [announced](#) the availability of \$150 million in grant funding to support approximately 100 Health Center Program look-alikes (LALs) to respond to and mitigate the spread of COVID-19. Grant applications are due May 14. [Details](#).
- **HHS** [announced](#) a series of commitments from national organizations to support outreach and support for Latinx communities to encourage greater enrollment during the COVID-19 SEP. [Details](#).

COMMENT & APPLICATION DEADLINES

- **May 6:** The OCR [announced](#) a 45-day extension of the public comment period for a [proposed rule](#) that would modify HIPAA [privacy](#) standards for individually identifiable health information. [Details](#).
- **May 6:** The FCC [announced](#) it will begin accepting applications for Round 2 of the COVID-19 Telehealth Program beginning April 29, 2021 at noon ET. [Details](#).
- **May 11:** CMS [released](#) a notice of funding opportunity (NOFO) to accompany the ambulance payment component of the Emergency Triage, Treat, and Transport (ET3) Model that began January 1, 2021. [Details](#).
- **May 14:** HHS [announced](#) the availability of \$150 million in grant funding to support approximately 100 Health Center Program look-alikes (LALs) to respond to and mitigate the spread of COVID-19. [Details](#).
- **May 15:** HHS issued a [proposed rule](#) to revise the rules that govern the Title X Family Planning Program ([fact sheet](#)). [Details](#)
- **May 21:** Practice application deadline for the [Primary Care First Model](#). [Details](#).
- **May 24:** The FDA [issued](#) draft and revised draft product-specific guidances. [Details](#).
- **June 4:** USDA [announced](#) that it is accepting applications for Distance Learning and Telemedicine (DLT) program grants to help provide educational and medical services in rural areas. [Details](#).
- **June 7:** CMS [released](#) its proposed rule for the fiscal year (FY) 2022 Inpatient Psychiatric Facility (IPF) Prospective Payment System (PPS) ([fact sheet](#)). [Details](#).
- **June 7:** CMS [released](#) the fiscal year (FY) 2022 inpatient rehabilitation facility (IRF) prospective payment system (PPS) proposed rule ([press release](#)). [Details](#).
- **June 7:** CMS released its [proposed rule](#) for the fiscal year (FY) 2022 Skilled Nursing Facility (SNF) Prospective Payment System (PPS) ([fact sheet](#)). [Details](#).
- **June 7:** CMS released its FY 2022 Hospice Wage Index [proposed rule](#) ([fact sheet](#)). [Details](#).
- **June 11:** CMS [issued](#) a notice of funding opportunity for its Minority Research Grant Program. [Details](#).
- **June 18:** Payer application deadline for the [Primary Care First Model](#). [Details](#).
- **September 17:** The CDC [announced](#) it is seeking nominations for individuals to serve as members of the Healthcare Infection Control Practices Advisory Committee. [Details](#).

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