

Wynne Health Group Weekly



FRAMING THE WEEK

Negotiations on the **next COVID-19 relief package** are underway between senior White House officials and a bipartisan group of centrist senators and elsewhere in Congress. Several members of that group and others on Capitol Hill are challenging the \$1.9 trillion price tag of President Joe Biden's legislative proposal, [American Rescue Plan](#), and some of its economic measures, such as the \$1,400 stimulus checks and \$15 minimum wage requirement. However, lawmakers generally agreed that additional federal funding is needed to **support vaccine distribution, as well as testing and contact tracing**, which will be necessary for Biden to fully implement his [COVID-19 strategy](#).

Members of the bipartisan group are Sens. Joe Manchin (D-WV), Mark Warner (D-VA), Dick Durbin (D-IL), Jeanne Shaheen (D-NH), Angus King (I-ME), Maggie Hassen (D-NH), John Hickenlooper (D-CO), Mark Kelly (D-AZ), Susan Collins (R-ME), Bill Cassidy (R-LA), Lisa Murkowski (R-AK), Mitt Romney (R-UT), Rob Portman (R-OH), Jerry Moran (R-KS), Shelly Moore Capito (R-WV), and Todd Young (R-IN).

During the talks, the bipartisan group proposed Congress pursue **vaccine targeted legislation** first, followed by a more comprehensive relief package. While White House negotiators have not signaled support for this strategy, the Administration's goal of 100 million shots administered in the next 100 days will likely put pressure on the White House to cut a deal sooner rather than later on vaccination funding. The additional time to negotiate a broader bill, and potential turbulence or obstacles raised in the bipartisan negotiations, may spur Democrats to pursue the budget reconciliation process as a means of delivering on the more robust, partisan measures. This bipartisan, two-step strategy could align with the timing of former President Donald Trump's impeachment trial, which is set to begin on February 9 – i.e., provide vaccine aid before the trial and additional COVID-19 relief after the trial.

The two-week period preceding the trial also gives the Senate an opportunity to consider, and likely confirm, Biden's Cabinet nominees. Today, the Senate will vote on the confirmation of Janet Yellen, former Chair of the Federal Reserve, to be **Secretary of Treasury**. As for the **Secretary of Health and Human Services**, the Senate Finance Committee and the Senate Committee on Health, Education, Labor and Pensions have not yet announced confirmation hearings for Biden's nominee, Xavier Becerra, Attorney General of California. Becerra is expected to be confirmed but likely not until February.

This afternoon, Biden is scheduled to sign an [Executive Order \(EO\)](#) **aimed at strengthening the federal government's "Buy American" rules**. The EO will direct agencies to close loopholes in federal purchasing, appoint a new Director of Made-in-America at the Office of Management and Budget, increase oversight of waivers to Buy American requirements, and promote domestic manufacturing. Throughout the week, President Biden is expected to issue another slew of **executive actions** focused on advancing equity, expanding access to health care, reforming the criminal justice system, addressing the climate crisis, and overhauling the immigration system.

Later this week (January 28 and 29), the **Medicaid and CHIP Payment and Access Commission (MACPAC)** will [convene](#) to vote on recommendations for the March Report to Congress regarding postpartum coverage, estate recovery, and automatic countercyclical financing adjustments. MACPAC will also review several issues in the mental and behavioral health arena – including parity in Medicaid and housing supports. Commissioners will discuss a number of coverage and payment-related issues involving dually eligible beneficiaries, and high-cost specialty drugs, maternity services as well. In addition, they will hear from panels on the state budget outlook and implications for Medicaid, as well as on the role of Medicaid for people with intellectual and developmental disabilities.

THIS WEEK IN HEALTH POLICY

Thurs. (1/28)

- **10:30am-4:30pm – MACPAC: Day 1** – The Medicaid and CHIP Payment and Access Commission (MACPAC) convenes a virtual public meeting to discuss Medicaid and CHIP payment and policy issues. [Details.](#)

Fri. (1/29)

- **10:30am-4:30pm – MACPAC: Day 2** – MACPAC convenes a virtual public meeting to discuss Medicaid and CHIP payment and policy issues. [Details.](#)

FEATURED WHG ANALYSIS

- **WHG Catalogue of COVID-19 Government Response** – November Edition – In the Policy Hub Insight Bank [here](#).
- **California v. Texas: Analysis of Supreme Court Oral Arguments** – In the Policy Hub Insight Bank [here](#).

CONGRESSIONAL LOOKBACK

Fri. (1/22)

- **The Senate Finance Committee** [released](#) the results from its bipartisan investigation on the rising costs of insulin. [Details.](#)

REGULATORY LOOKBACK

Thurs. (1/21)

- **HHS** [announced](#) it is delaying the effective date of the recently finalized rule titled “Implementation of Executive Order on Access to Affordable Life-saving Medications.” [Details.](#)
- **President Joe Biden** unveiled his administration’s “[National Strategy for the COVID-19 Response and Pandemic Preparedness](#),” a roadmap to guide and centralize the federal government’s response to the pandemic. [Details.](#)

Wed. (1/20)

- **CMS** [announced](#) it is seeking nominations for a Technical Expert Panel (TEP) related to the development of practitioner-level measures to assess access to kidney transplantation for dialysis patients. Nominations are due Feb 15. [Details.](#)

Tues. (1/19)

- The USPSTF [issued](#) an ‘A’ grade final recommendation statement that recommends clinicians ask all adults about tobacco use and advise them to stop using tobacco. [Details](#).

COMMENT & APPLICATION DEADLINES

- **Jan. 27:** GAO issued a request for nominations for the State All Payer Claims Databases Advisory Committee. [Details](#).
- **Jan. 26:** CMS [issued](#) an interim final rule with comment period (IFC) to implement the Most Favored Nation (MFN) Model, pursuant to President Trump’s [executive order](#) (EO) on Lowering Drug Prices by Putting America First. [Details](#).
- **Feb. 5:** CMS issued a [call for public comment](#) on which episode-based cost measures to develop for the next wave of Merit-Based Incentive Payment System (MIPS) measures. The measures developed during this wave could impact performance-based Medicare payment adjustments for MIPS-eligible clinicians for CY 2022 or CY 2023. [Details](#).
- **Feb. 7:** FDA [announced](#) a request for nominations for consumer representatives to serve on several advisory committees and panels. [Details](#).
- **Feb. 7:** FDA [announced](#) a request for nominations for the National Mammography Quality Assurance Advisory Committee in the Center for Devices and Radiological Health. The FDA is also soliciting industry organizations that are interested in participating in the selection of nonvoting members for the Committee. [Details](#).
- **Feb. 12:** OHRP is seeking nominations of qualified candidates for appointment to the Secretary’s Advisory Committee on Human Research Protections. [Details](#).
- **Feb. 12:** FEMA seeks comments on a [proposed rule](#) to revise the “Estimated cost of the assistance,” which is one of the factors FEMA’s Public Assistance Program considers when evaluating requests from states for major disaster declarations and making recommendations to the President. [Details](#).
- **Feb. 15:** Nominations are due Feb. 15 for a CMS Technical Expert Panel (TEP) related to the development of practitioner-level measures to assess access to kidney transplantation for dialysis patients. [Details](#).
- **Feb. 16:** CMS seeks comment on plans for a new Review Choice Demonstration for inpatient rehabilitation facility (IRF) services. [Details](#).
- **Feb. 19:** FDA [announced](#) a request for nominations for members to serve on the National Mammography Quality Assurance Advisory Committee in the Center for Devices and Radiological Health. [Details](#).
- **Feb. 22:** HRSA announced a maternal health-focused Notice of Funding Opportunity (NOFO) – Primary Care Training and Enhancement-Community Prevention and Maternal Health. [Details](#).
- **Feb. 27:** The FDA issued a [request for nominations](#) for voting members to serve on the Technical Electronic Product Radiation Safety Standards Committee.
- **March 4:** The HHS Office of Minority Health is seeking nominations of qualified candidates for appointment to the Advisory Committee on Minority Health. [Details](#).
- **March 12:** CDC released a [request for nominations](#) for membership to the Advisory Committee on Breast Cancer in Young Women.
- **March 15:** HRSA announced a maternal and child health-focused Notice of Funding Opportunity (NOFO) – Early Childhood Comprehensive Systems: Health Integration Prenatal-to-Three Program. [Details](#).
- **March 15:** USPSTF [announced](#) a request for nominations to serve on the task force. Selected members will serve a four-year term. [Details](#).

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