

*Wynne Health Group Weekly*



**FRAMING THE WEEK**

Officially sworn in yesterday, the **117<sup>th</sup> Congress** enters a new and still evolving political landscape with Democrats hoping to flip the Senate while hanging on to a smaller majority in the House ([222-211](#)). The outcome of the Georgia Senate runoffs tomorrow will largely influence how the incoming Biden-Harris administration will prioritize the various aspects of their health care agenda, the means by which they may pursue them, and their probability of enactment. Top priorities for President-elect Joe Biden include providing **additional COVID-19 relief**, especially to states and localities; bolstering the **nation's pandemic response**, particularly on vaccine distribution; and restoring, strengthening, and expanding the **Affordable Care Act (ACA)**.

As of yesterday evening, [polls](#) show small leads for **Georgia Democrats Jon Ossoff and Raphael Warnock**, though turnout is unpredictable and will be the strongest driver of the outcome. Regardless of these results, the Senate will be narrowly divided and action on major legislation will prove challenging.

Today, the House will vote on the [rules package](#) for the 117<sup>th</sup> Congress. The package includes changes aimed at increasing accountability, facilitating a more accommodating process for policy deliberation, and promoting diversity. Notably, the package exempts legislation aimed at addressing the COVID-19 pandemic and climate change from **pay-as-you-go rules and budget limits**. It also reauthorizes the [Select Subcommittee on the Coronavirus Crisis](#) to continue oversight of coronavirus relief aid and programs. In addition, the package requires committees to include in their oversight plan how their work will address **inequities** based on race, color, ethnicity, religion, sex, sexual orientation, gender identity, disability, age, or national origin.

On Wednesday, Congress will convene in a joint session to count **electoral votes**. The [anticipated challenge](#) from a coalition of at least 12 Republican senators as well as a throng of House Republicans will disrupt the certification process but will not block the reaffirmation of Biden's win.

Looking ahead, once the results of the Georgia runoffs are known, the parties will work to finalize their priorities and plans for the coming year. We also expect to see several more appointments from the Biden Administration in the coming weeks.

An overview of health policy events of interest in the coming week is included below for your convenience.

**THIS WEEK IN HEALTH POLICY**

**Tue. (1/5)**

- Georgia Senate runoff elections between Republican incumbents David Perdue and Kelly Loeffler and Democrats Jon Ossoff and Raphael Warnock.

### Wed. (1/6)

- **10:00am – WaPo Discussion: COVID-19** – The Washington Post (WaPo) hosts a discussion titled, “The Path Forward: Combatting COVID-19,” featuring NIH Director Francis Collins. [Details.](#)

### Thurs. (1/7)

- **9:00am-4:00pm – CMS Town Hall: MIPS** – CMS hosts a virtual Town Hall meeting to share updates on the Merit-based Incentive Payment System (MIPS) Value Pathway (MVP) policy considerations and for stakeholders to provide feedback on those MVP considerations for future implementation. [Details.](#)

### Fri. (1/8)

- **11:00am – WaPo Discussion: COVID-19 and Race** – WaPo hosts a discussion titled, “Race in America: Building Trust in Vaccines,” featuring Mayor Steve Benjamin (Columbus, SC) and Valerie Montgomery Rice (President and Dean, Morehouse School of Medicine). [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](#).

### **REGULATORY LOOKBACK**

#### Fri. (12/18)

- **CMS** recently [announced](#) 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. Comments are due by February 5, 2021. [Details.](#)
- **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. Nominations are due February 19, 2021. [Details.](#)

#### Thurs. (12/17)

- **CMS** [announced](#) it is seeking nominations for two Technical Expert Panels (TEPs): one related to developing a measure to assess patient receipt of important information following an outpatient procedure in of hospital outpatient department (HOPD) and ambulatory surgical centers (ASCs); and one focused on the creation, reassessment, and application of outpatient imaging outcome and efficiency measures. Nominations for each are due January 15. [Details.](#)
- **CMS** [announced](#) a new type of Direct Contracting Entity (DCE) specifically tailored for serving the population of beneficiaries that are eligible for both Medicare and Medicaid (“dual-eligibles”). This new type of DCE will allow Medicaid managed care organizations (MCOs) to coordinate care for dual-eligibles through participation in either the Professional or Global Direct Contracting model options. [Details.](#)

#### Wed. (12/16)

- **HHS** [announced](#) it completed review of Phase 3 applications for the Provider Relief Fund (PRF) and will distribute approximately \$24.5 billion to over 70,000 providers. [Details.](#)

- **FDA** [issued](#) final guidance on interacting with the FDA on complex innovative trial designs for drugs and biological products. [Details.](#)
- **CMS** recently announced plans for a new Review Choice Demonstration for inpatient rehabilitation facility (IRF) services. Comments on the information collection proposal for the demonstration are due by February 16, 2021. [Details.](#)

#### **Tues. (12/15)**

- **USPSTF** issued a [final recommendation statement](#) that recommends screening for hepatitis B virus (HBV) infection in adolescents and adults at increased risk for infection. The final recommendation statement was issued a ‘B’ grade which indicates that private health insurance plans must cover the service without cost sharing beginning in the next plan year. [Details.](#)
- **AHRQ** [announced](#) a request for scientific information submissions to inform its review on Maternal and Childhood Outcomes Associated with the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). Submissions are due January 15, 2021. [Details.](#)
- **HRSA** recently announced a maternal health-focused Notice of Funding Opportunity (NOFO) – Primary Care Training and Enhancement–Community Prevention and Maternal Health. Applications are due February 22, 2021. [Details.](#)
- **FEMA** issued 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. Comments on the proposed changes are due February 12, 2021. [Details.](#)

#### **Mon. (12/14)**

- **HHS** issued a [final rule](#) to modify 42 CFR Part 2 confidentiality requirements for substance use disorder patient records. [Details.](#)
- **OHRP** recently [announced](#) that it is seeking nominations of qualified candidates for appointment to the Secretary’s Advisory Committee on Human Research Protections. Nominations are due Feb. 12. [Details.](#)
- **HRSA** recently announced a maternal and child health-focused Notice of Funding Opportunity (NOFO) – Early Childhood Comprehensive Systems: Health Integration Prenatal-to-Three Program. Applications are due March 15, 2021. [Details.](#)

#### **COMMENT & APPLICATION DEADLINES**

- **Rolling:** HRSA is seeking nominations of qualified candidates for appointment to the National Advisory Council on Migrant Health (NACMH). Nominations will be accepted on a rolling, continuous basis. [Details.](#)
- **Jan. 5:** CDC announced a funding opportunity for “PrEP Choice: Increasing the Use of HIV Pre-exposure Prophylaxis in an Era of Choices.” The application deadline is January 5, 2021. [Details.](#)
- **Jan. 11:** USPSTF [issued](#) a draft recommendation and evidence review that recommends clinicians offer pregnant persons recurring behavioral counseling interventions aimed at promoting healthy weight gain and preventing excess gestational weight gain (GWG) in pregnancy. [Details.](#)
- **Jan. 18:** CMS announced that the Community Health Access and Rural Transformation (CHART) [model](#) is open for applications. Letters of intent are due by January 18, 2021. [Details.](#)
- **Jan 19:** FDA seeks comment on draft guidance entitled “Biosimilarity and Interchangeability: Additional Draft Q&As on Biosimilar Development and the Biologics Price Competition and Innovation (BPCI) Act.” [Details.](#)

- **Jan. 21:** HRSA announced a Notice of Funding Opportunity for the Behavioral Health Workforce Education and Training (BHWET) Program for Professionals for FY 2021. [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.](#)
- **March 4:** The HHS Office of Minority Health is seeking nominations of qualified candidates for appointment to the Advisory Committee on Minority Health. [Details.](#)

WHG Contacts for Inquiries

Alyssa Llamas: [alyssa@wynnehealth.com](mailto:alyssa@wynnehealth.com); (562) 207-8807

Taylor Cowey: [taylor@wynnehealth.com](mailto:taylor@wynnehealth.com); (203) 848-7720

Billy Wynne: [billy@wynnehealth.com](mailto:billy@wynnehealth.com); (202) 309-0796

