



2021 LEGISLATIVE & REGULATORY OUTLOOK

1.29.21

Red = Congressional/Legislative Event; **Blue** = Proposed Executive/Regulatory Action; **Green** = Final Executive/Regulatory Action

Date	Event	Responsible Party	Notes
<i>First Quarter</i>			
Q1	Congress and White House negotiations on a COVID-19 relief package.	Congress	
1/3	Opening date of the first session of the 117 th Congress.	Congress	
1/4-1/5	Senate in recess.	Congress	
1/7-1/9	Senate in recess	Congress	
1/11-1/19	House in recess.	Congress	
2/1-2/28	Presumed timeframe for President’s State of the Union address to Congress.	Congress	
2/9-2/23	Senate impeach trial of former President Donald Trump.	Congress	Expected to take approximately two weeks.
2/15-2/19	Senate and House in recess.	Congress	Likely to change due to the impeachment trial.
3/29-4/9	Senate and House in recess	Congress	
2/15	Opening date for a three-month special enrollment period (SEP) for the ACA Exchange market.	CMS ¹	The SEP will close on May 15, 2021. Details here .
3/1	Deadline for Part D sponsors Medicare Advantage plans to submit Notices of Intent (NOI) to apply for CY 2022 of CMMI’s Part D Payment Modernization model.	CMMI ²	CY 2022 of the model currently includes plan flexibilities for the Part D six protected classes, though stakeholders are

¹ Centers for Medicare & Medicaid Services

² Center for Medicare & Medicaid Innovation



			currently requesting the administration rescind these flexibilities.
3/16	Deadline to apply for participation in the Community Transformation Track of CMMI's Community Health Access and Rural Transformation (CHART) model.	CMMI	Letters of Intent (LOIs) are due Feb. 17, 2021
<i>Second Quarter</i>			
Q2	Anticipated release of CURES 2.0 legislation focused on public health, caregiver integration, patient engagement in health care decision-making, clinical trials, FDA, and CMS modernization.	Congress	Reps. Diana DeGette (D-CO) and Rep. Fred Upton (R-MI) are the co-leads.
Q2	House Appropriations Committee marks up FY 2022 appropriations legislation.	Congress	
4/1-4/30	Anticipated release of the FY 2022 Hospital Inpatient Prospective Payment System (IPPS) and Long-Term Care Hospital Prospective Payment System proposed rule.	CMS	
4/1-4/30	Anticipated release of the FY 2022 Skilled Nursing Facility (SNF) PPS Update and Quality Reporting Requirements proposed rule.	CMS	
4/1-4/30	Anticipated release of the FY 2022 Inpatient Rehabilitation Facility (IRF) PPS Rate Update and Quality Reporting Requirements proposed rule.	CMS	
4/1-4/30	Anticipated release of the FY 2022 Inpatient Psychiatric Facilities (IPF) PPS Rate and Quality Reporting Updates proposed rule.	CMS	
4/1-4/30	Anticipated Release of the FY 2022 Hospice Wage Index, Payment Rate Update, and Quality Reporting Requirements proposed rule.	CMS	
Q1/Q2	Release of the President's FY 2021 Budget Request .	WH ³	Budget Request is typically DOA in Congress but illustrates the administration's policy priorities.
4/1	Presumed start date to Kidney Care Choices models.	CMMI	CMMI delayed the start date of the model in

³ White House



			response to the COVID-19 pandemic (details).
4/2	Presumed deadline for applications to CMMI's Geographic Direct Contracting model.	CMMI	
4/20	Current end date for the COVID-19 public health emergency (PHE).	HHS ⁴	HHS may choose to extend the PHE for an additional 90-day period. Otherwise, pandemic-driven flexibilities (such as broad telehealth expansions) would be rolled back no later than 60 days following the PHE end date.
5/3-5/7	Senate in recess.	Congress	
5/31-6/4	Senate and House in recess.	Congress	
6/1-6/30	Anticipated release of the CY 2022 Medicare Physician Fee Schedule (PFS) proposed rule.	CMS	
6/1-6/30	Anticipated release of the CY 2022 Medicare Hospital Outpatient Prospective Payment System (OPPS) and Ambulatory Surgical Center (ASC) payment system proposed rule.	CMS	
6/1-6/30	Anticipated release of the CY 2022 Changes to the End-Stage Renal Disease (ESRD) PPS and Quality Incentive Program (QIP), proposed rule.	CMS	
6/1-6/30	Anticipated release of the CY 2022 Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) proposed rule.	CMS	
6/1-6/30	Anticipated release of the CY 2022 Home Health PPS Rate Update, Quality Reporting Requirements, and Home Infusion Therapy Service Requirements proposed rule.	CMS	
6/1	CY 2022 Medicare Advantage (MA) Bids are due to CMS	CMS	
6/28-7/9	Senate in recess.	Congress	6/28-7/9

⁴ U.S. Department of Health and Human Services



<i>Third Quarter</i>			
7/5-7/9	House in recess.		
8/1	Expiration of statutory debt limit.	Congress	Discretionary spending limits last modified in the Bipartisan Budget Act of 2019 (P.L. 116-37).
8/2-8/27	House in recess.		
8/9-9/10	Senate in recess.	Congress	
9/6-9/8	House in recess.		
9/15-9/17	House in recess.		
9/16-9/17	Senate in recess.	Congress	
9/30	End of Fiscal Year (FY) 2021. FY 2022 appropriations bills or continuing resolution (CR) is needed to keep federal government open.	Congress	
8/1-8/31	Anticipated release of the FY 2022 Hospital Inpatient Prospective Payment System (IPPS) and Long-Term Care Hospital Prospective Payment System final rule.	CMS	
8/1-8/31	Anticipated release of the FY 2022 Skilled Nursing Facility (SNF) PPS Update and Quality Reporting Requirements final rule.	CMS	
8/1-8/31	Anticipated release of the FY 2022 Inpatient Rehabilitation Facility (IRF) PPS Rate Update and Quality Reporting Requirements final rule.	CMS	
8/1-8/31	Anticipated release of the FY 2022 Inpatient Psychiatric Facilities (IPF) PPS Rate and Quality Reporting Updates final rule.	CMS	
8/1-8/31	Anticipated Release of the FY 2022 Hospice Wage Index, Payment Rate Update, and Quality Reporting Requirements final rule.	CMS	
<i>Fourth Quarter</i>			
10/1	Medicare open enrollment begins for the 2022 plan year.	CMS	
10/11-10/15	Senate in recess.	Congress	
11/1-11/30	Anticipated release of the CY 2022 Medicare Physician Fee Schedule (PFS) final rule.	CMS	



11/1-11/30	Anticipated release of the CY 2022 Medicare Hospital Outpatient Prospective Payment System (OPPS) and Ambulatory Surgical Center (ASC) payment system final rule.	CMS	
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11/1-11/30	Anticipated release of the CY 2022 Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) final rule.	CMS	
11/1-11/30	Anticipated release of the CY 2022 Home Health PPS Rate Update, Quality Reporting Requirements, and Home Infusion Therapy Service Requirements final rule.	CMS	
11/1	Exchange open enrollment begins for 2022 plan year.	CMS	
11/8-11/12	Senate in recess.	Congress	
11/22-11/26	Senate and House in recess.	Congress	
12/13-12/31	Senate and House in recess.	Congress	
<i>2022 and Beyond</i>			
1/1/2022	Surprise billing protections, prohibitions, and requirements take effect.	Congress	Enacted in the Consolidated Appropriations Act, 2021 (P.L. 116-260)
1/1/2022	Expiration of Health Coverage Tax Credit.	Congress	Last reauthorized in the Consolidated Appropriations Act, 2021 (P.L. 116-260)
9/30/2023	Expiration of public health and health care extenders.	Congress	Last reauthorized in the Consolidated Appropriations Act, 2021 (P.L. 116-260).
9/30/2023	End of delay to Medicaid disproportionate share hospital (DSH) payment reductions.	Congress	Last delayed in the Consolidated Appropriations Act, 2021 (P.L. 116-260).