

Wynne Health Group Weekly



FRAMING THE WEEK

This week, the House is [preparing](#) to consider [H.R. 1868](#), a legislative fix introduced by House Budget Committee Chair John Yarmuth (D-KY) to **stop automatic cuts to Medicare** and other programs subject to [PAYGO sequestration](#). The increase in deficit spending from the recently enacted \$1.9 trillion American Rescue Plan Act of 2021 ([P.L. 117-2](#)) will trigger Pay-As-You-Go cuts, including roughly \$36 billion to Medicare, [according](#) to the Congressional Budget Office. While H.R. 1868 is expected to pass in the House, its future in the evenly split Senate is less certain.

H.R. 1868 would provide additional relief to health care providers by **extending the moratorium on the two percent Medicare sequester** from March 31, 2021 to December 31, 2021. Additionally, the bill would make several technical corrections, including modifying the Medicare enrollment deadline for Medicare Rural Health Clinical payment changes to December 31, 2020 instead of December 31, 2019 and ensuring certain hospitals, particularly those located in California, do not inadvertently receive a reduction to their Medicaid Disproportionate Share Hospital (DSH) payments.

The House is also scheduled to vote on (and expected to pass) a slate of health-related bills, including two bills passed by unanimous consent in the Senate that aim to increase competition and lower prescription drug prices:

- **Advancing Education on Biosimilars Act of 2021** ([S.164](#)) – Requires the Department of Health and Human Services to create and maintain a public website to educate providers and patients about biosimilar drug products.
- **Ensuring Innovation Act** ([S. 415](#)) – Seeks to clarify the meaning of “new chemical entity,” which is used by the Food and Drug Administration (FDA) to determine whether to grant a drug product five years of market exclusivity.

In addition, the House will vote on:

- **FASTER Act of 2021** ([S. 578](#)) – Requires food allergen labels to include sesame and a report describing ongoing federal activities aimed to improve the health and safety of individuals living with food allergies and related disorders.
- **TRANSPLANT Act of 2021** ([H.R. 941](#)) – Reauthorizes the [C.W. Bill Young Cell Transplantation Program](#) and the [National Coord Blood Inventory](#).

- **John Lewis NIMHD Research Endowment Revitalization Act of 2021 ([H.R. 189](#))** – Facilitates research on minority health disparities through research endowments at current or former centers of excellence

Key members of **President Joe Biden’s COVID-19 response team** will appear before the House Energy and Commerce (E&C) Subcommittee on Oversight and Investigations on Wednesday ([March 17](#)) and the Senate Health, Education, Labor and Pensions Committee on Thursday ([March 18](#)) to discuss the federal government’s response to COVID-19. The E&C Subcommittee will hear from Dr. Anthony Fauci, Chief Medical Advisor to Biden; Dr. Rochelle Walensky, Director of the Centers for Disease Control and Prevention (CDC); and Dr. Peter Marks, Director of the FDA’s Center for Biologics Evaluation and Research, which oversees the approval or emergency authorization of COVID-19 vaccines. This panel, along with Dr. David Kessler, Chief Science Officer, will appear before the Senate HELP Committee. Their discussions will likely focus on the status of the **COVID-19 vaccine** supply, distribution, and administration, as well as challenges to ensuring an equitable vaccine rollout.

The Senate Finance Committee will [examine](#) the impact of **COVID-19 in nursing homes** on Wednesday (March 17). The panel includes representatives from the Government Accountability Office (GAO) and American Health Care Association (AHCA). Today, AHCA, along with LeadingAge released [Care For Our Seniors Act](#), a reform agenda to improve the quality of care in nursing homes.

Lastly, the Senate is expected to vote, and approve, the nomination of **Xavier Becerra to serve as Secretary of the Department of Health and Human Services Secretary**, this week.

THIS WEEK IN HEALTH POLICY

Tue. (3/16)

- **10:00am – Hearing: Infrastructure** – The Senate Finance Committee convenes a hearing titled, “Made in America: Effect of the U.S. Tax Code on Domestic Manufacturing.” [Details](#).
- **10:00am – Hearing: COVID-19** – The House Appropriations Subcommittee on Department of Homeland Security convenes a hearing titled, “The Role of FEMA and Emergency Management in COVID-19 Response.” [Details](#).
- **1:30pm-2:30pm – BPC Briefing: Medicare** – The Bipartisan Policy Center (BPC) hosts a briefing titled, “Will Medicare Run Out of Money?” [Details](#).
- **2:00pm – Hearing: Housing** – The Senate Banking, Housing, and Urban Affairs Committee convenes a hearing titled, “Home = Life: The State of Housing in America.” [Details](#).

Wed. (3/17)

- **9:30am – Executive Session: Nominations** – The Senate Health, Education, Labor and Pensions Committee convenes an executive session to consider the nominations of Vivek Murthy and Rachel Levine to serve as the Surgeon General and Assistant Secretary of Health and Human Services, respectively. [Details](#).
- **10:00am – Hearing: COVID-19 Vaccinations** – The House Energy and Commerce Subcommittee on Oversight and Investigations convenes a hearing titled, “Leading the Way Forward: Biden Administration Actions to Increase COVID-19 Vaccinations.” [Details](#).
- **10:00am – Hearing: COVID-19 and Nursing Homes** – The Senate Finance Committee convenes a hearing titled, “A National Tragedy: COVID-19 in the Nation’s Nursing Homes.” [Details](#).

- **1:00pm – Hearing: U.S. Territories** – The House Energy and Commerce Subcommittee on Health convenes a hearing titled, “Averting a Crisis: Protecting Access to Health Care in the U.S. Territories.” [Details](#).

Thurs. (3/18)

- **9:30am – Hearing: COVID-19** – The Senate Committee on Aging convenes a hearing titled, “COVID-19 One Year Later: Addressing Health Care Needs for At-Risk American.” [Details](#).
- **10:00am – Hearing: COVID-19** – The Senate Health, Education, Labor and Pensions Committee convenes a hearing titled, “Examining Our COVID-19 Response: An Update from Federal Officials.” [Details](#).

FEATURED WHG ANALYSIS

- **WHG Summary of Biden-Harris Executive Actions Related to Health Equity and Racial Justice** – In the Policy Hub Insight Bank [here](#).
- **WHG Catalogue of COVID-19 Government Response** – February Edition – In the Policy Hub Insight Bank [here](#).
- **WHG Issue Brief: No Surprises Act Implementation** – In the Policy Hub Insight Bank [here](#).
- **WHG: Implementation Timeline of the Omnibus Package** – In the Policy Hub Insight Bank [here](#).
- **WHG Legislative and Regulatory Outlook for 2021** – In the Policy Hub Insight Bank [here](#).
- **WHG: Regulatory Freeze: Key Policies and Dates** – In the Policy Hub Insight Bank [here](#).

CONGRESSIONAL LOOKBACK

Thurs. (3/11)

- **President Joe Biden** [signed](#) the American Rescue Plan Act of 2021 ([P.L. 117-2](#)) into law. [Details](#).
- **House E&C Democrats** [introduced](#) the Leading Infrastructure for Tomorrow’s America Act – a more than \$312 billion package that includes funding for public health and health care infrastructure and increased broadband internet access. [Details](#).

REGULATORY LOOKBACK

Fri. (3/12)

- **CMS** [announced](#) the delay of the effective date of the Medicare [Coverage](#) of Innovative Technology (MCIT) Program for 60 days. [Details](#).
- **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. Applications are due May 11. [Details](#).

Thurs. (3/11)

- **The White House** [announced](#) that all adult Americans will be eligible to receive a COVID-19 vaccination by May 1, 2021. [Details](#).
- **The ASPE Office of Health Policy** released an [issue brief](#) that examines how policies in four major types of Medicaid section 1115 demonstrations affect coverage and access to care. [Details](#).
- **CMS** issued a Calendar Year (CY) 2022 [Request for Applications](#) (RFA) and released an [application](#) for Part D sponsors. Applications are due April 12. [Details](#).

Weds. (3/10)

- CMS updated [guidance](#), in partnership with the Centers for Disease Control and Prevention, for safe visitation in nursing homes during the COVID-19 public health emergency. [Details](#).

Tues. (3/9)

- **The HHS OMH [announced](#)** a \$250 million to fund the Advancing Health Literacy to Enhance Equitable Community Responses to COVID-19 initiative. Applications are due April 20. [Details](#).
- **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. Comments are now due May 6. [Details](#).
- **The USPSTF [issued](#)** a final recommendation statement in favor of screening for lung cancer among adults ages 50 to 80 years who have a 20 pack per year smoking history and currently smoke, or have quit smoking within the past 15 years. [Details](#).

COMMENT & APPLICATION DEADLINES

- **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:** The USPSTF [issued](#) a draft recommendation statement in favor of screening for gestational diabetes mellitus (GDM) in asymptomatic pregnant persons at 24 weeks of gestation or after. [Details](#).
- **March 15:** USPSTF [announced](#) a request for nominations to serve on the task force. Selected members will serve a four-year term. [Details](#).
- **March 26:** The FDA [announced](#) a request for comment seeking input on topic areas for an upcoming disease progression modeling workshop. [Details](#).
- **April 1:** The AHRQ [announced](#) it is seeking scientific information from stakeholders to inform its work on improving rural health through telehealth-guided, provider-to-provider communication. [Details](#).
- **April 9:** The NIH [issued](#) a request for information (RFI) on how the agency can advance research to eliminate or lessen health disparities and inequities. [Details](#).
- **April 12:** CMS issued a Calendar Year (CY) 2022 [Request for Applications](#) (RFA) and released an [application](#) for Part D sponsors. [Details](#).
- **April 19:** HRSA [announced](#) a maternal and child health-focused Notice of Funding Opportunity (NOFO) – Sickle Cell Disease Newborn Screening Follow-up Program. [Details](#).
- **April 20:** The HHS OMH [announced](#) a \$250 million to fund the Advancing Health Literacy to Enhance Equitable Community Responses to COVID-19 initiative. [Details](#).
- **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 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](#).

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