

*Wynne Health Group Weekly*



**FRAMING THE WEEK**

*Infrastructure*

The White House continues to push for a bipartisan deal on infrastructure. To gain Republican support, however, such a modified approach would likely represent a dramatic departure from President Joe Biden's \$2 trillion [American Jobs Plan](#) to such a degree that he would risk losing the support of congressional Democrats.

A group of Republicans are preparing a counterproposal focused on what they consider to be traditional infrastructure (i.e., transportation, drinking water, and broadband) with a price tag of \$600 billion to \$800 billion – just shy of the \$832 billion investment Biden proposed for those elements. Republicans' plan would leave out Biden's investments in home and community-based services, public health preparedness, and workforce development and protections, among others. If they prove viable, it is unclear what implications these negotiations will have on Democrats' broader infrastructure ambitions.

Meanwhile, committees in both chambers will hold several hearings this week that address various elements of Biden's plan. Tomorrow, Transportation Secretary Pete Buttigieg, Commerce Secretary Gina Raimondo, Housing Secretary Marcia Fudge, and Environmental Protection Agency (EPA) Administrator Michael Regan will [discuss](#) the American Jobs Plan with the Senate Appropriations Committee. As noted in our calendar below, congressional committees will also examine broadband, workforce development, and taxes. On Wednesday, the House Ways and Means Committee will convene a [hearing](#) on paid leave and child care, which are expected to be focal points of Biden's forthcoming American Family Plan along with health care reforms.

*COVID-19 Vaccine*

On Friday, the CDC's Advisory Committee on Immunization Practices (ACIP) will [hold](#) an emergency meeting to further review data involving six reported U.S. cases of patients developing a rare blood-clotting disorder after receiving **Johnson & Johnson's (J&J) single dose vaccine**. ACIP may rule on whether to end the [pause](#) and provide additional recommendations (e.g., restrictions, warnings). Last week, Jeff Zients, White House COVID-19 Response Coordinator, [gave](#) assurances that the pause in the use of the J&J vaccine will not deter the U.S. from achieving the President's goal of 200 million shots by his 100<sup>th</sup> day in office (i.e., by the end of April).

*Regulatory Update*

Though the Centers for Medicare & Medicaid Services (CMS) has released proposed rules for nearly all of its fiscal year (FY) 2022 Medicare payment updates, the proposed changes for its **FY 2022 inpatient prospective payment system (IPPS)** [remain under review](#) at the White House Office of Management and Budget (OMB). The proposal is due by the end of April and so its release is expected in the coming days.

Like the other proposed Medicare regulations issued thus far, the proposed FY 2022 IPPS will also likely include a request from CMS for feedback on how to better leverage data collection and quality measurement to advance the Biden Administration's aims around health equity and reducing disparities.

Of additional note, part two of the finalized **Notice of Benefit and Payment Parameters for coverage year 2022** also [remains under review](#) at OMB. The final rule was received at the end of March and its release was expectedly shortly thereafter, though the finalized provisions are still yet to be seen. As a reminder, the set of provisions that could be finalized in this rule includes policies on risk adjustment, medical loss ratio, and pharmacy benefit manager transparency in the commercial market.

## **THIS WEEK IN HEALTH POLICY**

### **Tue. (4/20)**

- **10:00am – Hearing: Rural Broadband** – The House Agriculture Committee holds a hearing titled, “Rural Broadband - Examining Internet Connectivity Needs and Opportunities in Rural America.” [Details.](#)
- **10:00am – Hearing: Workforce** – The Senate Health, Education, Labor and Pensions Committee convenes a hearing titled, “COVID-19 Recovery: Supporting Workers and Modernizing the Workforce Through Quality Education, Training, and Employment Opportunities.” [Details.](#)
- **10:00am – Hearing: Disparities** – The Senate Finance Committee convenes a hearing titled, “Combatting Inequality: The Tax Code and Racial, Ethnic, and Gender Disparities.” [Details.](#)
- **10:00am – Hearing: Consumer Protections** – The Senate Commerce, Science, and Transportation Committee convenes a hearing titled, “Strengthening the Federal Trade Commission’s Authority to Protect Consumers.” [Details.](#)
- **10:00am – Hearing: Nutrition** – The House Appropriations Subcommittee on Agriculture, Rural Development, FDA and Related Agencies convenes a hearing to discuss food, nutrition, and consumer services at USDA. [Details.](#)
- **10:00am – Business Meeting: FY 2022 Budget** – The House Agriculture Committee convenes a business meeting to consider the Budget Views and Estimates Letter of the Committee on Agriculture for the agencies and programs under the jurisdiction of the Committee for Fiscal Year 2022. [Details.](#)
- **10:30am – Hearing: Infrastructure** – The Senate Appropriations convenes a hearing, titled “The American Jobs Plan: Infrastructure, Climate Change, and Investing in Our Nation’s Future,” featuring Transportation Secretary Pete Buttigieg, EPA Administrator Michael Regan, Commerce Secretary Gina Raimondo, and HUD Secretary Marcia Fudge. [Details.](#)
- **12:30pm – Axios Discussion: Health Disparities** – Axios hosts an event titled, “Hard Truths,” which will discuss systemic racism in health care and feature health policy leaders, including Andy Slavitt (White House Senior Advisor for COVID-19 Response) and Dr. Cameron Webb (White House Senior Policy Advisor for COVID-19 Equity), among others. [Details.](#)

### **Wed. (4/21)**

- **TBD – Executive Session: Nominations** – The Senate Health, Education, Labor and Pensions Committee convenes an executive session to consider the nominations for Deputy Secretary of Labor, Deputy Secretary of Education, and Under Secretary of Education. [Details.](#)
- **10:00am – Hearing: COVID-19** – The House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies convenes a hearing titled, “Oversight of the Economic Development Administration's Role in Pandemic Response.” [Details.](#)

- **10:00am – Hearing: Behavioral Health** – The Senate Judiciary Subcommittee on Criminal Justice and Counterterrorism convenes a hearing titled, “Behavioral Health and Policing: Interactions and Solutions.” [Details.](#)
- **10:30am – Hearing: Broadband** – The House Energy and Commerce Subcommittee on Communications and Technology convenes a hearing titled, “Leading the Wireless Future: Securing American Network Technology.” [Details.](#)
- **12:00pm – Hearing: Child Care** – The House Ways and Means Committee convenes a hearing titled, “In Their Own Words: Paid Leave, Child Care, and an Economy that Failed Women.” [Details.](#)
- **2:00pm – Hearing: FY 2022 Budget** – The House Appropriations Subcommittee on the Departments of Transportation, and HUD, and Related Agencies convenes a hearing to examine the FY 2022 budget request for HUD. [Details.](#)

#### Thurs. (4/22)

- **9:30am – Hearing: Nomination** – The Senate Agriculture, Nutrition, and Forestry Committee convenes a hearing to consider the nomination of Dr. Jewel Bronaugh to be Deputy Secretary of Agriculture. [Details.](#)
- **10:00am – Hearing: Biomedical Research Security** – The Senate Health, Education, Labor and Pensions Committee convenes a hearing titled, “Protecting U.S. Biomedical Research: Efforts to Prevent Undue Foreign Influence.” [Details.](#)

#### Fri. (4/23)

- **11:00am-5:00pm – CDC Meeting: COVID-19** – The CDC’s Advisory Committee on Immunization Practices (ACIP) convenes a virtual emergency meeting to discuss the Johnson & Johnson COVID-19 vaccine. [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**

##### Fri. (4/16)

- **President Biden** recently signed [H.R. 1868](#), which extends the moratorium on the two percent Medicare sequester from March 31, 2021 to December 31, 2021. [Details.](#)

##### Thurs. (4/15)

- **The House Select Subcommittee on the Coronavirus Crisis** [convened](#) a hearing to examine ways to safely end the COVID-19 pandemic. [Details.](#)
- **The House Appropriations Subcommittee** on HHS, Education, and Related Agencies [convened](#) a [hearing](#) to examine the Biden Administration’s fiscal year (FY) 2022 [budget request.](#) [Details.](#)

- **The Senate Finance Committee** convened a [hearing](#) to consider the nominations of Andrea Joan Palm to be Deputy Secretary of HHS and Chiquita Brooks-LaSure to be Administrator of CMS. [Details.](#)

#### **Weds. (4/14)**

- **The House E&C Subcommittee on Health** convened a hearing ([memorandum](#)) to examine ways to address the rise in substance use disorder (SUD) in the U.S. [Details.](#)

#### **Tues. (4/13)**

- **House E&C Committee** leaders [sent](#) a [letter](#) to HHS, urging the Secretary to enforce the Hospital Price Transparency Final Rule that went into effect on January 1, 2021. [Details.](#)

### **REGULATORY LOOKBACK**

#### **Fri. (4/16)**

- **The White House** [announced](#) it is distributing \$1.7 billion in funding authorized by the American Rescue Plan Act of 2021 to support the CDC and state governments as they respond to the emergence of COVID-19 variants. [Details.](#)
- **The FDA** [issued](#) a final rule to conform to the amended definition of a device which excludes certain software functions. [Details.](#)
- **The FDA** [issued](#) a notice to withdraw the proposed list of 83 class II devices to be exempt from 510(k) premarket review under the Trump Administration. [Details.](#)
- **ASPE Office of Health Policy** released a [third issue brief](#) about the availability of zero- and low-premium health plans in the HealthCare.gov Marketplace. [Details.](#)
- **The FCC** [announced](#) it will begin accepting applications for Round 2 of the COVID-19 Telehealth Program beginning April 29, 2021 at noon ET. Applications are due May 6. [Details.](#)

#### **Weds. (4/14)**

- **HHS** issued a [proposed rule](#) to revise the rules that govern the Title X Family Planning Program ([fact sheet](#)). Public comments are due May 15. [Details.](#)

#### **Tues. (4/13)**

- **The FDA** [released](#) a new FDA Voices entitled “Vaccine Ready: Addressing COVID-19 Health Disparities among Racial and Ethnic Minority Communities.” [Details.](#)

#### **Mon. (4/12)**

- **HHS** [announced](#) a new set of initiatives it is taking to improve maternal health outcomes. [Details.](#)
- **CMS** [announced](#) it has extended the application deadline for participation in the Primary Care First (PCF) Cohort 2 demonstration. Practice applications are due May 21 and payer applications are due June 18. [Details](#)

### **COMMENT & APPLICATION DEADLINES**

- **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.](#)
- **April 24:** The FDA [announced](#) a request for nominees to serve as voting or nonvoting consumer representatives on several agency advisory committees. [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 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 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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