

*Wynne Health Group Weekly*



**FRAMING THE WEEK**

*Infrastructure*

Democrats continue to be focused on advancing their American Rescue Plan, specifically gearing up to advance **President Joe Biden's roughly \$2 trillion [American Jobs Plan](#)**. This effort proceeds on the heels of the latest [jobs report](#), which showed the U.S. economy added 916,000 jobs in March and the unemployment rate dropped to 6.0 percent (compared to the pre-pandemic level of 3.5 percent). Democrats continue to insist that aggressive action is necessary to shore up the American economy after the damage incurred during the COVID pandemic.

The White House is pushing for significant progress on infrastructure by Memorial Day, while House Speaker Nancy Pelosi (D-CA) has said that she wants to pass the American Jobs Plan, paid for primarily with tax reforms, by July 4.

Ultimately, the timing of an infrastructure package making its way to Biden's desk for signature will mostly depend on the Senate. The Senate Parliamentarian may rule this week on whether Democrats can revise the fiscal year (FY) 2021 budget resolution to allow for another reconciliation process under its authority. If the parliamentarian rules against Senate Majority Leader Chuck Schumer's (D-NY) proposal, then Congress will have to adopt an FY 2022 budget resolution with reconciliation instructions, potentially limiting Democrats to one more reconciliation bill during this session of Congress.

Regardless of the legislative maneuvers necessary to advance Biden's infrastructure proposal, it will likely take several months for lawmakers to draft, negotiate, and pass a multi-trillion-dollar infrastructure package. Many of Biden's proposals broadly mirror those included in the Moving Forward Act ([H.R. 2](#), 116<sup>th</sup>) and LIFT America Act ([H.R. 1848](#)), which Democrats will likely use as a starting point for their American Jobs Plan legislation. However, what is included (or not included) in Biden's follow-up proposal on health care and child care reforms, the "American Family Plan," will add another layer of complexity to negotiations.

*President's Budget*

After last week's delay, the White House may release Biden's **fiscal year (FY) 2022 "skinny" budget** this week, which will contain topline discretionary spending priorities, followed by the full budget in May. Notably, under current law, discretionary spending beginning FY 2022 is not subject to statutory spending

caps. The President’s budget is likely to shed light on Biden’s fiscal policy and spending priorities for his presidency.

### MACPAC

Later this week (April 8 and 9), the Medicaid and CHIP Payment and Access Commission (MACPAC) will [convene](#) to vote on draft recommendations regarding the following for its June Report to Congress:

- Revising the rebate amounts for **high-cost specialty drugs** that are approved through the accelerated pathways program at the Food and Drug Administration (FDA); and
- Improving access to **behavioral health services** for adults, children, and adolescents.

Notably, commissioners will discuss states’ progress on shifting **long-term services and supports** from institutional to home and community-based settings (i.e., rebalancing) – an effort that Biden proposed to expand in his American Jobs Plan. Specifically, his plan calls for \$400 billion to expand access to **home and community-based services (HCBS)** under Medicaid and extend the Money Follows the Person (MFP) program, a demonstration program focused on transitioning Medicaid beneficiaries from receiving institution-based services to HCBS. Under current law, MFP is set to expire on September 30, 2023 ([P.L. 116-260](#)).

MACPAC will also review draft chapters for its upcoming report on various topics, including dual eligible special needs plans (D-SNPs), electronic health records for behavioral health services, and the non-emergency medical transportation benefit. In addition, commissioners will discuss initiatives to ensure quality in Medicaid and CHIP.

### **THIS WEEK IN HEALTH POLICY**

#### **Thurs. (4/8)**

- **10:30am-4:30pm – MACPAC** – 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. (4/9)**

- **10:45am-3:30pm – MACPAC** – MACPAC convenes a virtual public meeting to discuss Medicaid and CHIP payment and policy issues. [Details.](#)

### **FEATURED WHG ANALYSIS**

- **\*NEW\* Summary of Recent Federal Actions on Maternal Health & Gender Equity** – In the Policy Hub Insight Bank [here](#).
- **\*NEW\* 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](#).
- **WHG Issue Brief: No Surprises Act Implementation** – In the Policy Hub Insight Bank [here](#).

## CONGRESSIONAL LOOKBACK

### Fri. (4/2)

- **MedPAC [convened](#)** virtually for Day Two of its March 2021 public meeting and held sessions on vaccine coverage and payment, separately payable drugs, and indirect medical education payments. All WHG session summaries are available on Policy Hub [here](#).

### Thurs. (4/1)

- **MedPAC [convened](#)** virtually for Day One of its March 2021 public meeting and held sessions on alternative payment modes, Medicare Advantage benchmarks, and clinician services. All WHG session summaries are available on Policy Hub [here](#).

### Wed. (3/30)

- **The White House [released](#)** President Joe Biden’s American Jobs Plan – a roughly \$2 trillion package intended to rebuild the nation’s infrastructure, create millions of jobs, and revitalize the economy amid the COVID-19 pandemic. [Details](#).

## REGULATORY LOOKBACK

### Fri. (4/2)

- **CMS [announced](#)** that it began recouping payments for COVID-19 Accelerated and Advance Payments (CAAPs) on March 30, 2021. [Details](#).
- **EBSA issued [joint guidance](#)** about implementation of new requirements regarding mental health and substance use disorder parity enacted in the Consolidated Appropriations Act, 2021 ([P.L. 116-260](#)). [Details](#).

### Thurs. (4/1)

- **ASPE Office of Health Policy** released a [second issue brief](#) about the availability of zero- and low-premium health plans in the HealthCare.gov Marketplace. [Details](#).
- **HHS [announced](#)** a series of new measures to further its COVID-19 response activities, focusing today on improving vaccine uptake and increasing affordable options for insurance coverage in the individual market. [Details](#).

### Wed. (3/30)

- **ASPE Office of Health Policy** released an [issue brief](#) that examines the availability of zero- and low-premium health plans in states using HealthCare.gov. [Details](#).
- **CMS [announced](#)** it has instructed the Medicare Administrative Contractors (MACs) to hold claims with service dates on or after April 1, 2021 “for a short period without affecting providers’ cashflow.” [Details](#).

### Tues. (3/30)

- **CMS [announced](#)** it has delayed the Request for Applications (RFA) for the Community Health Access and Rural Transformation (CHART) Model ACO Transformation Track. [Details](#).

### Mon. (3/28)

- **The White House [announced](#)** new actions to increase COVID-19 vaccinations. [Details](#).

## COMMENT & APPLICATION DEADLINES

- **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 16:** CMS issued an updated [CY 2022 PDM Model RFA](#). [Details](#).
- **April 12:** USPSTF [issued](#) a draft recommendation statement in favor of screening for prediabetes and type 2 diabetes in adults ages 35 to 70 years who are overweight or obese. . [Details](#).
- **April 12:** FDA [announced](#) the reopening of the comment period on listing patent information in the Orange Book. [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](#).
- **April 24:** The FDA [announced](#) a request for nominees to serve as voting or nonvoting consumer representatives on several agency advisory committees. [Details](#).
- **April 30:** Practice application deadline for the [Primary Care First Model](#). [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](#).
- **May 24:** The FDA [issued](#) draft and revised draft product-specific guidances. [Details](#).
- **May 28:** Payer application deadline for the [Primary Care First Model](#). [Details](#).
- **June 11:** CMS [issued](#) a notice of funding opportunity for its Minority Research Grant Program. [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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