

**Wynne Health Group Weekly**



**FRAMING THE WEEK**

With the expiration of the continuing resolution ([P.L. 117-70](#)) funding the federal government one month away (February 18), top congressional appropriators appear to be nearing a deal on a fiscal year (FY) 2022 omnibus government funding bill. Whether a COVID-19 supplemental package will be bundled with the FY 2022 funding bill remains an open question, as congressional Democrats wait for guidance from the Biden Administration.

Since passing another COVID-19 bill would require bipartisan support, any additional funding would likely be narrow in scope. The package could focus on issues such as equipping schools with the needed resources to remain open, bolstering the COVID-19 testing supply chain, and providing support to hospitals facing staffing shortages and nearing capacity limits. However, top congressional Republicans have expressed skepticism toward additional appropriations, pointing to unspent appropriations for testing and other supplies available to the Departments of Health and Human Services ([HHS](#)) and [Education](#).

As for available COVID-19 resources, 500 million at-home COVID-19 tests will be available to order tomorrow at [COVIDTests.gov](#) or through a call line. Every home in the U.S. can order up to four tests. They will be shipped within 7 to 12 days of ordering through the U.S. Postal Service. In addition, the White House is expected to unveil more details this week on “how we’re making high-quality masks available to the American people for free,” according to [remarks](#) delivered by President Biden last week. The President is scheduled to speak about the COVID-19 response on Thursday.

*Centers for Medicare and Medicaid Services (CMS)*

Today, Centers for Medicare and Medicaid Services (CMS) Administrator Chiquita Brooks-LaSure will [provide](#) updates on the Biden Administration’s “strategic vision” for the agency, key 2021 accomplishments, and considerations for 2022. “CMS serves the public as a trusted partner and steward, dedicated to advancing health equity, expanding coverage, and improving health outcomes,” [said](#) Brooks-LaSure of their vision back in September 2021. Brooks-LaSure, along with other health officials, have outlined the goals for [Medicare](#) and [Medicaid and CHIP](#). They focus on advancing health equity, expanding access to affordable coverage and care, and promoting person-centered care.

*Medicaid and CHIP*

Later this week, the Medicaid and CHIP Payment and Access Commission (MACPAC) will [convene](#) to discuss several timely issues:

- **Medicaid Eligibility Redeterminations** – States will resume Medicaid eligibility redeterminations at the end of the COVID-19 public health emergency (PHE), which is set to expire on [April 16, 2022](#) (unless renewed again by the Biden Administration). As a condition of receiving enhanced federal funding for Medicaid – 6.2 percentage point bump to the state’s Federal Medical Assistance Percentage (FMAP) – states must keep individuals enrolled in Medicaid throughout the PHE. States will have [up to 12 months](#) after the month in which the PHE ends to complete verifications,

redeterminations, and renewals. However, the enhanced FMAP for the continuous coverage requirement, as well as other maintenance of eligibility requirements, would expire at the end of the quarter in which the PHE ends (i.e., before the 12 months are up).

Medicaid advocates are [concerned](#) that the loss of enhanced federal funding during the wind-down process would increase the risk for coverage loss, as states undertake the herculean task of processing millions of redeterminations. The latest figures show Medicaid enrollment grew (16.8 percent) from 12.0 million in February 2020 to 83.2 million in June 2021, [according](#) to the Kaiser Family Foundation.

- **Dually Eligible Beneficiaries** – MACPAC will discuss their comments in response to provisions affecting dual-eligible special needs plans (D-SNPs) in the Contract Year (CY) 2023 Policy and Technical Changes to Medicare Advantage (MA) and Part D [proposed rule](#). CMS proposes several changes to the definitions of fully integrated dual eligible special needs plans (FIDE SNPs) and highly integrated dual eligible special needs plans (HIDE SNPs) that are intended to promote integration of Medicare and Medicaid ([WHG summary](#)). Comments are due March 7. Commissioners will also continue to their discussions on how to better integrate care for dually eligible beneficiaries.

In addition, MACPAC will discuss recommendations for upcoming 2022 reports:

- Policy options for improving vaccination rates among adult Medicaid beneficiaries (March Report);
- Money Follows the Person qualified residence criteria (March Report); and
- A new system for monitoring access to care among Medicaid beneficiaries (June Report).

Lastly, MACPAC will hear from panelists on how to improve beneficiary engagement and elevate consumer voices in Medicaid policymaking, which are [top priorities](#) for CMS Administrator La-Sure. CMS is slated to issue major rules affecting Medicaid enrollment and access to health care:

- A [proposed rule](#) that would streamline eligibility and enrollment processes for all Medicaid and CHIP populations and create new enrollment pathway (April 2022); and
- A [proposed rule](#) that would assure and monitor equitable access in Medicaid and CHIP (October 2022).

## **THIS WEEK IN HEALTH POLICY**

### **Mon. (1/17)**

- Dr. Martin Luther King Jr Day

### **Tue. (1/18)**

- **1:00pm – CMS Call – Strategic Vision** – The Centers for Medicare and Medicaid Services (CMS) holds a National Stakeholder Call to discuss the legacy of Dr. Martin Luther King Jr., provide updates on the CMS Strategic Vision and key 2021 accomplishments, and consider goals for 2022. [Details](#).

### **Wed. (1/19)**

- **10:00am – NIH Meeting: Autism Spectrum Disorder** – The National Institutes of Health (NIH) holds a meeting of the Interagency Autism Coordinating Committee to discuss agency updates and issues related to autism spectrum disorder research and service. [Details](#).
- **11:00am – ONC Meeting – Health Information Technology** – The Office of the National Coordinator for Health Information Technology holds a meeting of the Health IT Advisory Committee (HITAC) to discuss project updates. [Details](#).

- **1:00pm – Listening Session: Provider Nondiscrimination** – The Departments of Labor, Health and Human Services, and the Treasury hold a listening session regarding the implementation of the provider nondiscrimination provision of the Public Health Service Act in preparation for rulemaking. [Details.](#)
- **1:00pm – FEMA Meeting: Supply Chain** – The Federal Emergency Management Agency (FEMA) holds a meeting to implement the Voluntary Agreement for the Manufacture and Distribution of Critical Healthcare Resources Necessary to Respond to a Pandemic. [Details.](#)

#### Thurs. (1/20)

- **10:30am-3:45pm – MACPAC Meeting** – The Medicaid and CHIP Payment and Access Commission to discuss Medicaid issues and policy questions. [Details.](#)

#### Fri. (1/21)

- **10:30am-12:30pm – MACPAC Meeting** – The Medicaid and CHIP Payment and Access Commission to discuss Medicaid issues and policy questions. [Details.](#)
- **10:00am – HRSA Meeting: Community-Based Linkages** – The Health Resources and Services Administration (HRSA) holds a meeting of the Advisory Committee on Interdisciplinary, Community-Based Linkages to discuss program development. [Details.](#)
- **11:40am – NIH Meeting: Integrative Health** – The NIH holds a meeting of the National Advisory Council for Complementary and Integrative Health to discuss program updates. [Details.](#)
- **12:00pm – AHP Panel Discussion: Coverage** – The Alliance for Health Policy (AHP) holds a panel discussion titled, “Health Policy Roundup: Recent Trends in Coverage Enrollment and Affordability.” [Details.](#)

#### Additional Multi-Day Events

- **January 19-January 2022 – 1:00pm – CDC Meeting: Infectious Diseases** – The Centers for Disease Control and Prevention (CDC) holds a meeting of the Board of Scientific Counselors, Deputy Director for Infectious Diseases to discuss recent outbreaks, the Center for Forecasting and Outbreak Analytics, the Data Modernization Initiative, and other updates and reports. [Details.](#)
- **January 20-January 21 – MACPAC Meeting** – The Medicaid and CHIP Payment and Access Commission to discuss Medicaid issues and policy questions. [Details.](#)

#### **FEATURED WHG ANALYSIS**

- **WHG Issue Brief on Health Equity Implications of Potential Telehealth Reform Under Medicare** – In the Policy Hub Insight Bank [here.](#)
- **WHG Side-by-Side of Live Drug Pricing Proposals Under Consideration for Reconciliation** – In the Policy Hub Insight Bank [here.](#)
- **WHG Side-by-Side of Medicaid Expansion Gap Bills** – In the Policy Hub Insight Bank [here.](#)
- **WHG Side-by-Side of Health Technology Assessment Models** – In the Policy Hub Insight Bank [here.](#)
- **WHG Updated 2021 Legislative and Regulatory Outlook** – In the Policy Hub Insight Bank [here.](#)
- **WHG Chart Key Federal Public Option Bills in the 117<sup>th</sup> Congress; Side-by-Side Comparison** – In the Policy Hub Insight Bank [here.](#)

#### **CONGRESSIONAL LOOKBACK**

#### Fri. (1/14)

- **MedPAC convened** virtually for Day Two of its January 2022 public meeting and held sessions on a population-based payment model; Medicare Advantage status report; and Part D status report. All WHG session summaries are available on Policy Hub [here.](#)

#### Thurs. (1/13)

- **MedPAC** [convened](#) virtually for Day One of its January 2022 public meeting and held sessions on payment adequacy, and a mandated report on BBA changes to low-volume hospital payment adjustment. All WHG session summaries are available on Policy Hub [here](#).

#### **Tues. (1/11)**

- **The Senate HELP Committee** [held](#) a hearing on the federal response to COVID-19 and how to address new variants. [Details](#).

#### **REGULATORY LOOKBACK**

#### **Fri. (1/14)**

- **HHS** [renewed](#) its determination that a public health emergency (PHE) exists. [Details](#).
- **CMS** [released](#) the Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) final rule. [Details](#).

#### **Thurs. (1/13)**

- **CMS** [held](#) a national stakeholder call on its recently [proposed](#) National Coverage Determination on FDA approved monoclonal antibodies that target amyloid for the treatment of Alzheimer's disease (AD). [Details](#).
- **AHRQ** [released](#) a solicitation for nominations for members of the U.S. Preventive Services Task Force (USPSTF). Nominations are due March 15. [Details](#).

#### **Wed. (1/12)**

- **The White House** [announced](#) that the Administration will increase testing in schools by making 10 million additional tests available per month to help schools safely stay open. [Details](#).
- **ASPE** [published](#) an issue brief examining the impact of the Affordable Care Act (ACA) on access to preventive services. [Details](#).
- **The CMS OMH** [published](#) a report examining trends in health care inequities in Medicare Advantage. [Details](#).

#### **Tues. (1/11)**

- **CMS** [proposed](#) a NCD to cover FDA approved monoclonal antibodies that target amyloid for the treatment of Alzheimer's disease through coverage with evidence development. Comments are due February 10. [Details](#).
- **The ACL** released two Innovations in Nutrition Programs and Services funding opportunities ([here](#) and [here](#)) to support research and programs improving nutrition services programs for aging adults. Applications are due March 10. [Details](#).
- **HRSA** [approved](#) updates to the Women's Preventive Services Guidelines. [Details](#).
- **The GAO** [released](#) a request for nominations for appointments to MedPAC. Nominations are due February 11. [Details](#).
- **The CDC** [announced](#) it is seeking nominations for individuals to serve as members of the Advisory Committee on Breast Cancer in Young Women. Nominations are due February 28. [Details](#).
- **HRSA** [announced](#) updates to the Bright Futures Periodicity Schedule. [Details](#).

#### **Mon. (1/10)**

- **HHS** issued [guidance](#) on how privately insured individuals can get reimbursed for over-the-counter (OTC) COVID-19 diagnostic tests. [Details](#).
- **CMS** [announced](#) that they will begin posting weekend staffing and staff turnover information for each nursing home on the [Care Compare](#) website. [Details](#).
- **The FDA** [issued](#) draft guidance on notifying the agency of a permanent discontinuance or interruption in manufacturing of a device. Comments are due March 11. [Details](#).
- **CMS** announced that 13.8 million individuals signed up or were re-enrolled for health care coverage during the 2022 Open Enrollment Period. [Details](#).

## COMMENT & APPLICATION DEADLINES

- **January 18:** The FDA issued a [proposed rule](#) and [draft guidance](#) to improve access to hearing aids through the establishment of an over-the-counter (OTC) hearing aid category. [Details.](#)
- **January 21:** The FDA [issued](#) draft guidance on data standards for drug and biological product submissions containing real-world data (RWD). [Details.](#)
- **January 24:** HHS, DOL, the Treasury, and OPM [issued](#) an IFC to implement the health insurance plan reporting requirements on prescription drug and health care spending. [Details.](#)
- **January 25:** NIOSH published a [notice](#) extending the public comment period for the previously announced request for information (RFI) on interventions to support health worker mental health. [Details.](#)
- **January 27:** CMS released the 2023 HHS Notice of Benefit Payment Parameters [proposed rule](#). [Details.](#)
- **February 2:** The FDA [issued](#) draft guidance on content of premarket submissions for device software functions. [Details.](#)
- **February 10:** CMS [proposed](#) a NCD to cover FDA approved monoclonal antibodies that target amyloid for the treatment of Alzheimer's disease through coverage with evidence development. [Details.](#)
- **February 11:** The GAO [released](#) a request for nominations for appointments to MedPAC. [Details.](#)
- **February 15:** The FDA [issued](#) a request for nominations for voting members to serve on the Medical Devices Advisory Committee device panels. [Details.](#)
- **February 22:** The USDA [announced](#) \$1.15 billion in grant funding for rural broadband access. [Details.](#)
- **February 28:** The CDC [announced](#) it is seeking nominations for individuals to serve as members of the Advisory Committee on Breast Cancer in Young Women. [Details.](#)
- **March 7:** CMS [released](#) the Contract Year (CY) 2023 Policy and Technical Changes to Medicare Advantage (MA) and Part D proposed rule. [Details.](#)
- **March 10:** The ACL released two Innovations in Nutrition Programs and Services funding opportunities ([here](#) and [here](#)) to support research and programs improving nutrition services programs for aging adults. [Details.](#)
- **March 11:** The FDA [issued](#) draft guidance on notifying the agency of a permanent discontinuance or interruption in manufacturing of a device. [Details.](#)
- **March 15:** AHRQ [released](#) a solicitation for nominations for members of the U.S. Preventive Services Task Force (USPSTF). [Details.](#)
- **March 18:** HRSA [released](#) a notice of funding opportunity (NOFO) for the Rural Public Health Workforce Training Network (RPHWTN) Program. [Details.](#)
- **April 22:** The NIH [announced](#) a \$1 million prize competition for innovative diagnostics technologies to help improve maternal health. [Details.](#)

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