

**Wynne Health Group Weekly**



**FRAMING THE WEEK**

This week's main event is President Biden's first State of the Union address tomorrow evening. While the President's remarks will have a significant focus on national security, we anticipate his speech will also touch on the Biden Administration's COVID-19 response and health care priorities. Biden may provide some direction to lawmakers on which health policies of the Build Back Better Act to advance in a narrower package (e.g., extending enhancement of premium tax credits, lowering prescription drug prices). Whether a bill will pass this year is an open question, given the time constraints and multiple priorities – e.g., FY 2022 omnibus appropriations by March 11, bipartisan interest to advance mental health and pandemic preparedness bills, and November elections.

Other events this week include a Senate vote on the Women's Health Protection Act; House committee hearings on [COVID-19's impact on health care](#) and [substance use and suicide](#); and MedPAC and MACPAC meetings.

*Women's Health Protection Act*

The Senate is scheduled to vote today on the Women's Health Protection Act (WHPA, [H.R. 3755](#)), which would codify the right for health care providers to provide, and their patients to receive, abortion services. WHPA, which passed the House mostly along party lines (218-211), is not expected to clear the Senate due to the 60-vote filibuster threshold. Instead, the vote is intended to get all senators on the record on *Roe v. Wade* before the midterm elections.

The Supreme Court, with a 6-3 conservative majority, is expected to issue a decision in the spring on *Dobbs v. Jackson Women's Health Organization*, which involves a Mississippi law that prohibits nearly all abortions after the 15<sup>th</sup> week of pregnancy. Allowing the Mississippi law to stand would effectively overturn *Roe v. Wade*, which protects the right to abortion prior to fetal viability (around 24 weeks). Biden's nominee to replace liberal Justice Stephen Breyer – Judge Ketanji Brown Jackson – will not alter the Supreme Court's ideological balance. However, if confirmed, Judge Jackson, who has been praised [Planned Parenthood](#) and [NARAL Pro-Choice](#), will play a critical role in shaping reproductive rights in the future.

*MedPAC*

Later this week, the Medicare Payment Advisory Commission (MedPAC) will [convene](#) to discuss a range of issues, including beneficiary experience, workforce, and payment reform. Specific topics include:

- Findings from MedPAC's annual beneficiary and clinician focus groups;
- Guidance on future work to better support safety-net providers;
- Policy options to strengthen the geriatric workforce;
- Proposed approaches for integrating episode-based payment with population-based payment (a focus for the ongoing work at the Center for Medicare and Medicaid Innovation); and
- Revised approach to Medicare Advantage risk adjustment.

## MACPAC

The Medicaid and CHIP Payment and Access Commission (MACPAC) will hold sessions on policy levers to promote health equity, considerations in redesigning the home- and community-based services benefit, and rate setting. Additionally, MACPAC will discuss recommendations for the June Report to Congress related to:

- Directed payments in managed care;
- Improving the uptake of electronic health records by behavioral health providers;
- Requiring states to develop an integrated care strategy for dually eligible beneficiaries; and
- Access to vaccines for adults enrolled in Medicaid.

## **THIS WEEK IN HEALTH POLICY**

### **Mon. (2/28)**

- **12:00pm – NIH Meeting: Biosecurity** – The National Institutes of Health (NIH) Office of the Director holds a meeting of the National Science Advisory Board for Biosecurity to review the charge of the committee and discuss next steps. [Details.](#)
- **2:00pm – NQF Meeting: PRO/PM Measures** – The National Quality Forum (NQF) Technical Expert Panel holds a meeting to discuss patient report outcome performance measures (PRO/PM). [Details.](#)

### **Tue. (3/1)**

- **10:15am – Hearing: Retirement and Mental Health** – The House Education and Labor Committee Health, Education, Labor and Pensions Subcommittee holds a hearing titled, “Improving Retirement Security and Access to Mental Health Benefits.” [Details.](#)
- **10:30am – ONC Meeting: Interoperability** – The Office of the National Coordinator for Health Information Technology (ONC) holds a meeting of the Interoperability Standards Workgroup to discuss how to improve interoperability. [Details.](#)
- **1:00pm – CMS Webinar: Quality and Cost Measures** – The Centers for Medicare and Medicaid Services (CMS) holds a webinar to provide an overview of the development, criteria, and evaluation of Merit-based Incentive Payment System (MIPS) measures that align with CMS priorities. [Details.](#)

### **Wed. (3/2)**

- **9:00am – FDA Meeting: Device Manufacturing** – The Food and Drug Administration (FDA) holds a meeting of the Device Good Manufacturing Practice Advisory Committee to give presentations on current good manufacturing practice requirements for medical devices. [Details.](#)
- **10:00am – Hearing: Substance Use and Suicide** – The House Ways and Means Committee holds a hearing titled, “Substance Use, Suicide Risk, and the American Health System.” [Details.](#)
- **10:00am – HHS Meeting: Anti-Biotic Resistant Bacteria** – The Department of Health and Human Service (HHS) Office of the Assistant Secretary for Health holds a meeting of the President’s Advisory Council on Combatting Antibiotic-Resistant Bacteria to provide recommendations on programs and policies related to antibiotic-resistant bacteria. [Details.](#)
- **10:30am – Hearing: COVID-19** – The House Committee on Energy and Commerce Subcommittee on Oversight and Investigations holds a hearing titled, “Lessons from the Frontline: COVID-19’s Impact on American Health Care.” [Details.](#)
- **3:00pm – CMMI Webinar: Kidney Models** – The Centers for Medicare and Medicaid Services Innovation Center (CMMI) holds a webinar to provide updates on the Comprehensive End Stage Renal Disease Care Model, the Kidney Care Choices Model, and the End-Stage Renal Disease Treatment Choices Model. [Details.](#)

### **Thurs. (3/3)**

- **9:00am – FDA Meeting: Vaccines** – The FDA holds a meeting of the Vaccines and Related Biological Products Advisory Committee to discuss and make recommendations on the selection of strains to be included in the 2022-2023 influenza vaccine. [Details](#).
- **10:00am – ONC Meeting: Prior Authorization RFI** – The ONC Health Information Technology Advisory Committee (HITAC) holds a meeting of the e-Prior Authorization Request for Information (RFI) Task Force 2022 to discuss the recent RFI and next steps. [Details](#).
- **10:00am – HRSA Meeting: Childhood Vaccines** – The Health Resources and Services Administration (HRSA) holds a meeting of the Advisory Commission on Childhood Vaccines to discuss recommendations for childhood vaccines. [Details](#).

#### **Additional Multi-Day Events**

- **March 2-March 3 – DOT Meeting: Emergency Medical Transport** – The Department of Transportation (DOT National Highway Traffic Safety Administration National Emergency Medical Services Advisory Council) to discuss committee reports and initiatives. [Details](#).
- **March 3-March 4 – Meeting: MACPAC** – The Medicaid and CHIP Payment and Access Commission (MACPAC) holds a public meeting to discuss Medicaid and CHIP payment and policy issues. [Details](#).
- **December 9-December 10 – Meeting: MedPAC** – The Medicare Payment Advisory Commission meets to discuss Medicare issues and policy questions. [Details](#).

#### **FEATURED WHG ANALYSIS**

- **WHG Roundup of Recent Telehealth Policy** – In the Policy Hub Insight Bank [here](#).
- **WHG 2022 Legislative and Regulatory Outlook** – In the Policy Hub Insight Bank [here](#).
- **WHG Issue Brief on Health Equity Implications of Potential Telehealth Reform Under Medicare** – In the Policy Hub Insight Bank [here](#).

#### **CONGRESSIONAL LOOKBACK**

#### **REGULATORY LOOKBACK**

##### **Fri. (2/25)**

- **HRSA** recently [announced](#) that more than \$560 million in Provider Relief Fund (PRF) Phase 4 General Distribution payments is being distributed. [Details](#).
- **ASPE** [published](#) an issue brief examining trends and challenges in health care coverage and access among Black Americans. [Details](#).
- **The FDA** [issued](#) final guidance entitled Patient-Focused Drug Development: Methods to Identify What is Important to Patients. [Details](#).

##### **Thurs. (2/24)**

- **CMS** [announced](#) it has redesigned the Global and Professional Direct Contracting (GPDC) model. [Details](#).

##### **Tues. (2/22)**

- **The USPSTF** [issued](#) a draft recommendation statement in favor of statin use for the primary prevention of cardiovascular disease (CVD) in adults. Comments are due March 21. [Details](#).
- **The FDA** [issued](#) a proposed rule to amend the device CGMP requirements. Comments are due May 24. [Details](#).

## COMMENT & APPLICATION DEADLINES

- **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 4:** CMS [announced](#) the Calendar Year 2023 Advance Notice for Medicare Advantage and Part D. [Details.](#)
- **March 6:** The FDA [issued](#) a proposed rule to establish national standards for the licensing of prescription drug wholesale distributors. [Details.](#)
- **March 6:** HHS [released](#) an RFI regarding a proposed revision to the 2020 PHS Guideline on organ donors and transplant recipients for HIV, HBV, and HCV infection. [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 11:** ASPR [issued](#) a request for comments to help inform the development of the 2023-2026 National Health Security Strategy. [Details.](#)
- **March 14:** The FDA [issued](#) a request for nominations for voting and nonvoting consumer representatives to serve on advisory committees and panels. [Details.](#)
- **March 14:** The USDA FNS [released](#) a notice of funding opportunity for Team Nutrition Training Grants. [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.](#)
- **March 21:** The USPSTF [issued](#) a draft recommendation statement in favor statin use for the primary prevention of cardiovascular disease (CVD) in adults. [Details.](#)
- **March 23:** The **ONC** [issued](#) an RFI seeking stakeholder input on whether to adopt additional standards, implementation specifications, and certification criteria regarding electronic prior authorization. [Details.](#)
- **March 31:** HRSA [announced](#) the availability of \$19.2 million in ARP funding to support primary care and dental resident training in rural and underserved communities. [Details.](#)
- **April 4:** SAMHSA released a NOFO that will make \$10 million available for the Services Grant Program for Residential Treatment for Pregnant and Postpartum Women. [Details](#)
- **April 11:** The CDC [announced](#) it is requesting comments on the proposed clinical practice guideline, “CDC Clinical Practice Guideline for Prescribing Opioids.” [Details.](#)
- **April 12:** The NIH [issued](#) an RFI to gather public input on developing the NIH-Wide Strategic Plan for Diversity, Equity, Inclusion, and Accessibility (DEIA). Comments are due April 12. [Details.](#)
- **April 16:** HRSA released a NOFO to support long term improvements in early developmental health through the Transforming Pediatrics for Early Childhood program. [Details.](#)
- **April 18:** CMS [released](#) an RFI on access to care and coverage for Medicaid and CHIP enrollees. Comments are due April 18. [Details.](#)
- **April 19:** HHS [announced](#) the availability of \$13 million to support increased access to behavioral health care services, including treatment for substance use disorder, in rural communities. [Details.](#)
- **April 19:** AHRQ [released](#) an RFI from the public on its proposed strategic framework for its Patient-Centered Outcomes Research Trust Fund ([PCORTE](#)) investments. [Details.](#)
- **April 22:** The NIH [announced](#) a \$1 million prize competition for innovative diagnostics technologies to help improve maternal health. [Details.](#)
- **May 24:** The FDA [issued](#) a proposed rule to amend the device CGMP requirements. [Details.](#)

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