

**Wynne Health Group Weekly**



**FRAMING THE WEEK**

Today, President Biden is slated to release his fiscal year (FY) 2023 budget request, officially kicking off the appropriations process for the next fiscal year beginning on October 1, 2022. Throughout the week, committees in both chambers will hold hearings on various health policy priorities, including universal health coverage, behavioral health care, Food and Drug Administration (FDA) user fees, and the Supplemental Nutrition Assistance Program (SNAP).

On Thursday, the [moratorium](#) on the 2 percent Medicare sequester will expire. Congressional action extending the moratorium appears unlikely. As required by the Protecting Medicare and American Farmers from Sequester Cuts Act ([P.L. 117-71](#)), the Centers for Medicare and Medicaid Services (CMS) will phase in reductions to Medicare fee-for-service payments – starting with a 1 percent payment adjustment April 1–June 30, 2022, followed by a 2 percent payment adjustment beginning July 1, 2022.

*FY 2023 Budget and Appropriations*

The President's FY 2023 budget is expected to include funding increases for policy priorities highlighted at his [State of the Union](#), including the administration's updated COVID-19 [response plan](#), [strategies](#) to address the mental health crisis, [measures](#) to improve the quality of care at nursing homes, and his renewed Cancer Moonshot [initiative](#). We also anticipate that the President's budget will again call on Congress to pass reforms to lower prescription drug prices and to make permanent the temporary enhancements to Affordable Care Act (ACA) premium tax credits. Office of Management and Budget (OMB) Director Shalanda Young will [sit](#) before the Senate Budget Committee on Wednesday to field questions about the President's new budget. On Thursday, the House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies (Labor-HHS-Education) will [question](#) Health and Human Services (HHS) Secretary Xavier Becerra about the FY 2023 budget request for HHS.

Beginning April 4, [Community Project Funding requests](#) (i.e., earmarks) for FY 2023 can be submitted to the House Appropriations Committee. Like last year, Community Project Funding is limited to no more than one percent of discretionary spending. The [process](#) for submitting requests is mostly the same as last year. However, Members will now be able to submit up to 15 requests across all Subcommittees, up from a total of 10 requests last year. The deadline for Labor-HHS-Education Subcommittee is April 27. The deadline for the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies is April 28.

*Health Coverage Reforms*

Tomorrow, the House Oversight and Reform Committee will hold a hearing to examine pathways to universal coverage. The [hearing announcement](#) specifically calls out the Medicare for All Act ([H.R. 1976](#)), which would establish a national health insurance program administered by the Department of Health and Human Services (HHS). The Committee may also discuss other reforms, such as establishing a public option, improving affordability of ACA coverage enhancements to premium tax credits, creating a Medicare buy-in option, and expanding eligibility for Medicare. Additionally, the hearing will assess the impact of

uninsurance and underinsurance on health outcomes and how moving toward universal coverage could advance health equity.

### Behavioral Health

On Wednesday, the Senate Finance Committee will convene another [hearing](#) to inform their bipartisan behavioral health legislation planned to be released this summer. This hearing will focus on two issue areas of the bill: (1) ensuring parity between behavioral and physical health care, led by Sens. Michael Bennet (D-CO) and Richard Burr (R-NC); and (2) increasing integration, coordination, and access to care, led by Sens. Catherine Cortez-Masto (D-NV) and John Cornyn (R-TX).

### Medical Device User Fees

The House Committee on Energy and Commerce (E&C) Subcommittee on Health will hold a hearing on Wednesday to discuss three bills relating to the reauthorization of the FDA's medical device user fee program. FDA recently [announced](#) a new agreement reached with the medical device industry to collect at least \$1.78 billion in user fees over five years, plus additional funding, for a total of up to \$1.9 billion to further improve performance if specified goals are met. The Health Subcommittee will discuss:

- Protecting and Transforming Cyber Health Care (PATCH) Act of 2022 ([H.R. 7084](#)), introduced by Reps. Michael Burgess (R-TX) and Angie Craig (D-MN);
- Diagnostic Device Advisory Committee Act ([H.R. 7192](#)), introduced by Rep. Kim Schrier (D-WA); and
- Medical Device User Fee Amendments of 2022 ([discussion draft](#))

### Nutrition

On Wednesday, the House Agriculture Subcommittee on Nutrition, Oversight, and Department Operations will [hear](#) stakeholder perspectives on SNAP as part of its review of the 2018 Farm Bill ([P.L. 115-334](#)), which expires September 30, 2023. The farm bill includes federal policies that govern [SNAP](#), such as eligibility; benefit calculation; and grants supporting evaluation, training, and technical assistance. The upcoming farm bill reauthorization is an opportunity to modify SNAP with lessons learned from the COVID-19 pandemic.

## **THIS WEEK IN HEALTH POLICY**

### **Mon. (3/28)**

- **1:00pm – NIH Meeting: Scientific Review** – The National Institutes of Health (NIH) holds a meeting of the Center for Scientific Review Advisory Board to discuss matters related to planning, execution, conduct, support, review, evaluation, and receipt and referral of grant applications. [Details.](#)

### **Tue. (3/29)**

- **9:00am – Hearing: Universal Health Coverage** – The House Committee on Oversight and Reform holds a hearing titled, "Examining Pathways to Universal Health Coverage." [Details.](#)
- **10:00am – Hearing: FY 2023 Budget** – The House Committee on the Budget holds a hearing titled, "The President's Fiscal Year 2023 Budget." [Details.](#)
- **10:30 – 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 – SAMHSA Meeting: Mental Health** – The Substance Abuse and Mental Health Services Administration (SAMHSA) holds a meeting of the Center for Mental Health Services National Advisory Council to hear program updates. [Details.](#)

### **Wed. (3/30)**

- **10:00 – Hearing: FDA User Fee Reauthorization** – The House Committee on Energy and Commerce Subcommittee on Health holds a hearing titled, “FDA User Fee Reauthorization: Ensuring Safe and Effective Medical Devices.” [Details.](#)
- **10:00am – Hearing: Behavioral Health Parity** – The Senate Finance Committee holds a hearing titled, “Behavioral Health Care When Americans Need It: Ensuring Parity and Care Integration.” [Details.](#)
- **10:00am – FDA Meeting: Peripheral and Central Nervous System Drugs** – The Food and Drug Administration (FDA) holds a meeting of the Peripheral and Central Nervous System Drugs Advisory Committee to discuss a new drug application for a drug to treat amyotrophic lateral sclerosis (ALS). [Details.](#)
- **11:00am – Hearing: FY 2023 Budget** – The Senate Committee on the Budget holds a hearing titled, “The President’s Fiscal Year 2023 Budget Proposal.” [Details.](#)
- **11:00am – HHS Meeting: Health Statistics** – The Department of Health and Human Services (HHS) holds a meeting of the National Committee on Vital and Health Statistics to discuss letters for approval on data security during a public health emergency and recommendations for prior authorization and HIPAA regulated actions. [Details.](#)
- **12:00 – AHP Webinar: COVID-Related Medicaid and Medicare Flexibilities** – The Alliance for Health Policy (AHP) holds a webinar titled, “Understanding the Future of COVID-Related Medicare and Medicaid Flexibilities.” [Details.](#)
- **1:00pm – ASPR Meeting: Seniors and Individuals with Disabilities and Disasters** – The Assistant Secretary for Preparedness and Response (ASPR) holds a joint meeting of the National Advisory Committee on Seniors and Disasters and the National Advisory Committee on Individuals with Disabilities and Disasters to discuss the needs of and priorities for older adults and people with disabilities in disasters. [Details.](#)

#### **Thurs. (3/31)**

- **10:00am – Hearing: SNAP** – The House Agriculture Committee Nutrition, Oversight, and Department Operations Subcommittee holds a hearing titled, “A 2022 Review of the Farm Bill: Stakeholder Perspectives on SNAP.” [Details.](#)
- **1:00pm – AHRQ Meeting: Common Formats** – The Agency for Healthcare Research and Quality (AHRQ) holds a meeting for software developers of the Common Formats for Patient Safety Data Collection to discuss implementation of the Common Formats. [Details.](#)

#### **FEATURED WHG ANALYSIS**

- **WHG Memo on Possible CMMI Action on Drug Pricing** – In the Policy Hub Insight Bank [here.](#)
- **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**

#### **Weds. (3/23)**

- **The Senate Special Committee on Aging [convened](#)** a hearing today to discuss challenges faced by recipients and providers of home care services. [Details.](#)
- **The Senate HELP Committee [held](#)** a hearing on federal efforts to address mental health and substance use disorder (SUD). [Details.](#)

#### **Mon. (3/21)**

- **The CPC [released](#)** its agenda for executive action from the Biden administration. [Details.](#)

## REGULATORY LOOKBACK

### Fri. (3/25)

- HRSA [released](#) two requests for nominations related to heritable diseases in newborns and children. Nominations are due April 11. [Details](#).

### Thurs. (3/24)

- CMS released a Medicaid Drug Rebate (MDR) Program notice for participating [manufacturers](#) and [states](#) that provides technical guidance on implementing VBP arrangements for drugs using multiple best prices. [Details](#).
- ASPE [published](#) a data brief exploring the potential impacts of ARP marketplace provisions sunset in 2023. [Details](#).

### Weds. (3/23)

- OSHA partially [reopened](#) the record to allow for additional public comments on the [COVID-19 Healthcare Emergency Temporary Standard \(ETS\)](#). [Details](#).

### Tues. (3/22)

- CMS [released](#) templates and resources for two state reporting requirements to monitor the resumption of routine operations at the end of the COVID-19 PHE. [Details](#).
- HRSA [announced](#) that the fourth batch of Provider Relief Fund (PRF) Phase 4 payments has been distributed. [Details](#).
- SAMHSA [posted](#) three grant opportunities related to mental health. Applications are due May 17. [Details](#).
- ASPE [published](#) an issue brief highlighting demographic characteristics of adults receiving COVID-19 booster vaccinations. [Details](#).
- ASPE published a [briefing book](#) on the ACA's accomplishments and an [issue brief](#) highlighting accomplishments relevant to health coverage for women. [Details](#).

## COMMENT & APPLICATION DEADLINES

- **March 28:** CMS [released](#) a request for nominations for membership on the Medicare Evidence Development & Coverage Advisory Committee (MEDCAC). [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 1:** HHS Office of Infectious Disease and HIV/AIDS Policy [announced](#) that it seeks public comment on the draft Vaccines Federal Implementation Plan 2021-2025.. [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](#).
- **April 25:** The FTC [issued](#) a request for public comments on the ways that [pharmacy](#) benefit managers (PBMs) affect drug affordability and access. [Details](#).
- **May 2:** The HHS Office of the Surgeon General is [seeking](#) input on the impact and prevalence of health misinformation in the digital information environment during the COVID-19 pandemic. [Details](#).
- **May 9:** The NIH [released](#) a notice of proposed rulemaking to update the NIH Loan Repayment Programs (LRP) to reflect changes made by the 21<sup>st</sup> Century Cures Act. [Details](#).
- **May 17:** SAMHSA [posted](#) three grant opportunities related to mental health. [Details](#).
- **May 17:** SAMHSA [posted](#) a notice of funding opportunity for the Infant and Early Childhood Mental Health Grant Program. [Details](#).
- **May 24:** The FDA [issued](#) a proposed rule to amend the device CGMP requirements. [Details](#).
- **June 7:** The FDA [issued](#) a request for comments on changes to the agency's previously proposed quality metrics (QM) reporting program. [Details](#).

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