

**Wynne Health Group Weekly**



**FRAMING THE WEEK**

With Congress in recess, we take a closer look at several solicitations from the Biden Administration that signal areas for possible policymaking on the regulatory front. Over the last month, the Centers for Medicare and Medicaid Services (CMS) has issued requests for information (RFIs) seeking input on a variety of issues, such as health equity, health care access, waivers and flexibilities, and Medicaid, among others. The Treasury Department also released a set of RFIs to inform implementation of Inflation Reduction Act's (IRA's) clean energy incentives.

CMS

- **Due October 27: Requirements for Temporary FMAP Increase ([WHG summary](#))** – CMS is considering modifying one of the requirements states must follow to receive a temporary 6.2 percentage point increase in the federal Medicaid matching fund. CMS reopened the public comment period for the [interim final rule \(IFR\)](#) that established these requirements in November 2020. CMS seeks comments on whether states should be required to maintain the same amount, duration, and scope of coverage for beneficiaries enrolled in Medicaid through the end of the month in which the COVID-19 public health emergency (PHE) ends. Current regulations permit states to make certain changes to coverage and cost-sharing. The proposed changes would strengthen protections for beneficiaries.
- **Due November 4 – Health Equity ([WHG summary](#))** – In support of President Biden's Executive Order on Advancing Racial Equity and Support for Underserved Communities, CMS is considering potential opportunities for improvement and increased efficiencies across the agency's policies, programs, and practices. CMS seeks public input and feedback on: (1) accessing healthcare and related challenges, (2) understanding provider experiences; (3) advancing health equity; and (4) the impact of the COVID-19 PHE waivers and flexibilities.
- **December 6 – Provider Directories ([WHG summary](#))** – CMS is considering establishing a National Directory of Healthcare Providers and Services (NHD), described as a “centralized data hub” to help patients locate providers, facilitate interoperable provider data exchange, and help payers improve the accuracy of their own directories. Notably, CMS is exploring whether the agency has the adequate legal authority to establish NHD. CMS seeks to understand what incentives, programs, or policies might promote timely and accurate data reporting, as well as robust NDH usage by stakeholders.

Treasury

- **Due November 4 – Clean Energy Incentives ([WHG summary](#))** – IRA provides a variety of incentives for the production and storage of clean energy and sustainable building or manufacturing.

Importantly, nonprofit entities can receive some of the credits as direct payments rather than tax credits through a mechanism known as credit monetization. The RFIs cover the following areas:

- [Credit monetization](#), or the means by which entities are able to treat certain credits as a direct payment rather than a credit against their federal income tax liabilities, which allows tax-exempt entities (i.e., non-profit hospitals) to benefit from certain tax credits;
- [Credit enhancements](#), which would increase the credit value if entities meet certain wage and domestic content requirements;
- [Energy generation incentives](#), such as production and investment tax credits;
- [Home and building incentives](#), such as the energy efficient commercial building deduction;
- [Consumer vehicle credits](#), such as credits for purchasing electric vehicles; and
- [Manufacturing credits](#), to support the energy supply chain.

## THIS WEEK IN HEALTH POLICY

### Tue. (10/11)

- **11:00am – Discussion: KFF** – The Kaiser Family Foundation holds a virtual discussion, beginning at 11 a.m., on "The Long Shadow of Covid: Older People and the Ongoing Pandemic." [Details.](#)

### Wed. (10/12)

- **10:30am – ONC Meeting: Public Health Data Systems** – ONC holds a meeting of the Public Health Data Systems Task Force 2022 to identify and prioritize policy and technical gaps associated with information systems relevant to public health and identify improvements that can be made. [Details.](#)
- **12:30pm – Discussion: The Urban Institute** – The Urban Institute's Disability Equity Policy Initiative holds a virtual discussion on including disability in research. [Details.](#)
- **1:00pm – Webinar: The AHP** – The Alliance for Health Policy holds a webinar, beginning at 1 p.m., on "The State of HIV/AIDS Progress & Applying Lessons Learned to Current Public Health Emergencies." [Details.](#)
- **2:00pm – Discussion: The AAAS EPI Center, EPA OW, and the White House** – The American Association for the Advancement of Science's Center for Scientific Evidence in Public Issues, the U.S. Environmental Protection Agency Office of Water, and the White House are hosting a webinar in a series that highlights regional examples of green infrastructure and nature-based solution. In this event speakers will discuss their work across the Northwest. [Details.](#)

### Thurs. (10/13)

- **10:00am – ONC Meeting: HITAC** – ONC holds a meeting of the Health IT Advisory Committee to discuss recommendations on interoperability, privacy and security, patient access, and the use of technologies that support public health. [Details.](#)

### Fri. (10/14)

- **10:00am – NIH Meeting: National Eye Institute** – The National Advisory Eye Council (NAEC) holds a meeting to hear the Director's report and other program updates. [Details.](#)

## FEATURED WHG ANALYSIS

- **WHG Roundup of CMS information releases on long-term services and supports and children's health** – In the Policy Hub Insight Bank [here.](#)
- **Blog on President Biden's Executive Order Protecting Access to Reproductive Health Services** – On the Commonwealth Fund's To the Point [here.](#)
- **WHG Roundup of Recent Telehealth Policy** – In the Policy Hub Insight Bank [here.](#)
- **WHG Regulatory Outlook – Summer 2022 Update** – In the Policy Hub Insight Bank [here.](#)
- **WHG Issue Brief on the Nutrition Policy Landscape** – In the Policy Hub Insight Bank [here.](#)

- **WHG A Suite Of Potential Executive Actions For A Post-Roe World** – In the Policy Hub Insight Bank [here](#).

## CONGRESSIONAL LOOKBACK

### Fri. (10/7)

- **Reps. Buchanan and Barragán** [introduced](#) the MERIT Act, which would require CMS to evaluate treatments and cures individually and based on their own merits. [Details](#).
- **Sens. Lankford and Lee** [introduced](#) the Protecting Drug Innovation Act, which would repeal the Medicare drug price negotiation provision enacted through the Inflation Reduction Act. [Details](#).

### Weds. (10/5)

- **MACPAC** released a response to a RFI from House Energy & Commerce Committee Republicans on disability policy. [Details](#).

## REGULATORY LOOKBACK

### Fri. (10/7)

- **HHS** [announced](#) updates to language access plans across the Department to advance the Biden-Harris Administration's goal of overcoming barriers to equity in health and human services. [Details](#).

### Weds. (10/5)

- **The Department of the Treasury** [released](#) a set of RFIs to inform the implementation of the Inflation Reduction Act's clean energy incentives. Comments are due November 4. [Details](#).
- **CMS** [issued](#) an RFI on the current state of health care provider directories. Comments are due December 6. [Details](#).
- **The HITAC** [held](#) a technical Public Health Data System Task Force meeting regarding public health data reporting as it continues to develop its forthcoming recommendations. [Details](#).

### Tues. (10/4)

- **The FDA** announced the establishment two new pilot programs: 1) the [Rare Disease Endpoint Advancement \(RDEA\) Pilot Program](#) and 2) the [Split Real Time Application Review \(STAR\) pilot program](#). [Details](#).

### Mon. (10/3)

- **The National Academy of Medicine** [released](#) its National Plan for Health Workforce Well-Being. [Details](#).
- **The GAO** [released](#) a new report with the National Academy of Medicine on the benefits and challenges of machine learning (ML) for medical diagnostics. [Details](#).

## COMMENT & APPLICATION DEADLINES

- **October 17:** The USPSTF released draft recommendations and evidence reviews for screening for [anxiety](#) and [depression and suicide risk](#) in adults. [Details](#).
- **October 19:** The FDA [issued](#) a request for applications from patient advocates interested in participating on the Patient Engagement Collaborative (PEC). [Details](#).
- **October 25:** SAMHSA [announced](#) a new \$35 million grant opportunity to further support the 988 Suicide and Crisis Lifeline. [Details](#).
- **October 26:** The FDA [issued](#) a proposed rule to establish requirements for a nonprescription drug product with an additional condition for nonprescription use (ACNU). [Details](#).
- **October 27:** CMS is considering modifying one of the requirements states must follow to receive a temporary 6.2 percentage point increase in the federal Medicaid matching fund. CMS is reopening the public comment period for the interim final rule (IFR) that established these requirements in November 2020. [Details](#).

- **October 31:** A group of eight House representatives are [seeking](#) input on how to improve upon the Medicare Access and CHIP Reauthorization Act (MACRA). [Details](#).
- **November 4:** CMS issued a [Request for Information](#) seeking public input and feedback on issues related to health equity. [Details](#).
- **November 4:** The Department of the Treasury [released](#) a set of RFIs to inform the implementation of the Inflation Reduction Act's clean energy incentives. [Details](#).
- **November 6:** CMS [released](#) a proposed rule entitled, "Streamlining the Medicaid, Children's Health Insurance Program, and Basic Health Program Application, Eligibility Determination, Enrollment and Renewal Processes". [Details](#).
- **November 14:** FDA [issued](#) draft guidance on computer software assurance for production and quality system assurance. [Details](#).
- **November 15:** The Departments of Labor, HHS, and Treasury [issued](#) a RFI to inform future rulemaking for advanced explanation of benefits (AEOB) and good faith estimate (GFE) requirements. [Details](#).
- **November 15:** The AHRQ [issued](#) a RFI on the current state of comprehensive, longitudinal, person-centered care planning for people with Multiple Chronic Conditions. [Details](#).
- **December 6:** CMS [issued](#) an RFI on the current state of health care provider directories. [Details](#).
- **December 7:** The FDA [issued](#) revised draft guidance on general clinical pharmacology considerations for pediatric studies of drugs. [Details](#).
- **December 31:** AHRQ [issued](#) a supplemental solicitation for nominations of members from Populations Underrepresented in Medicine (URIM) to serve on the Initial Review Group (IRG). [Details](#).
- **January 9:** AHRQ announced a challenge competition to explore the resources and infrastructure needed to integrate real-world data from healthcare systems into systematic review findings. [Details](#).

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