

[This Week in Health Policy](#), [Congressional Lookback](#), [Regulatory Lookback](#), [Comment & Application Deadlines](#)

### ***Wynne Health Group Weekly***



#### **FRAMING THE WEEK**

Congress is back from recess this week. House committees plan to convene to discuss the federal response to COVID-19 and the creation of a national federal data privacy standard. As for floor activity, the House [plans to vote](#) on several bipartisan bills relating to communications infrastructure and cybersecurity and a bipartisan resolution responding to the earthquake in Turkey and Syria. The House is also expected to vote on Republican messaging measures – a bill intended to limit federal regulations and a resolution disapproving a final rule on investments. The Senate is [scheduled to vote](#) on a slate of judicial nominations. Lastly, the Medicare Payment and Access Commission (MedPAC) and Medicaid and CHIP Payment and Access Commission (MACPAC) will both meet later this week.

#### ***Committee Activity***

On Tuesday, the House Select Subcommittee on the Coronavirus Pandemic will hold a [roundtable](#) to “thoroughly examine the federal government’s response to the COVID-19 pandemic.” The panel features physicians who have publicly criticized the federal COVID-19 response and the Centers for Disease Control and Prevention. The roundtable is the first event convened by Chair Brad Wenstrup (R-OH) and appears unlikely to lead to viable policymaking.

On Wednesday, the House Energy and Commerce Subcommittee on Innovation, Data, and Commerce will convene a [hearing](#) to discuss the creation of a national data privacy standard. Last July, E&C advanced the American Data Privacy and Protection Act ([H.R. 8152](#)) in a 53-2 bipartisan vote. ADPPA will likely serve as a starting point for a federal data privacy bill in this Congress. Notably, ADPPA would apply to sensitive covered data, including any health data outside of HIPAA’s purview (e.g., third-party health apps).

#### ***MedPAC***

On Thursday and Friday, [MedPAC](#) will discuss draft recommendations for the June 2023 report to Congress on:

- Reforming Medicare’s wage index systems,
- Addressing high prices of drugs covered under Medicare Part B,
- Establishing a prototype design for a post-acute care prospective payment system, and
- Aligning payment rates for select services across ambulatory settings.

Commissioners will also consider alternative approaches for setting Medicare Advantage county benchmarks.

#### ***MACPAC***

On Thursday, [MACPAC](#) will convene sessions on coverage, payment, and delivery. Specific topics include:

- Coverage: Providing pre-release Medicaid services to adults leaving incarceration, unwinding of continuous coverage requirements and other flexibilities;
- Payment: Countercyclical disproportionate share hospital (DSH) allotments; and
- Delivery: Experiences of full-benefit dually eligible beneficiaries in integrated care models, state flexibilities to coordinate care in the absence of full-risk capitation, and External Quality Review findings.

Commissioners will also discuss a [proposed rule](#) issued by the Centers for Medicare and Medicaid Services that requires the disclosure of certain ownership, managerial, and other information regarding Medicare skilled nursing facilities (SNFs) and Medicaid nursing facilities ([WHG summary](#)).

## THIS WEEK IN HEALTH POLICY

### Mon. (2/27)

- **12:00pm – Urban Institute Discussion: Social Sector Infrastructure** – The Urban Institute holds a meeting of the Center on Nonprofits and Philanthropy to discuss the financial health of national social sector infrastructure organizations, inequities and disparities in the field and ways to promote a stronger and more equitable social sector. [Details](#).

### Tue. (2/28)

- **11:00am – NQF Meeting: Prevention and Population Health** – NQF holds a measure evaluation meeting of the Prevention and Population Health Standing Committee to discuss program updates. [Details](#).
- **2:00pm – Roundtable: COVID-19** – The House Oversight and Accountability Select Subcommittee on Coronavirus Pandemic holds a roundtable discussion around COVID-19 policy decisions to examine the federal government’s response to the COVID-19 pandemic. [Details](#).
- **2:00pm – Hearing: VA Accountability** – The House Veterans’ Affairs Committee holds a hearing titled “Building an Accountable VA: Applying Lessons Learned to Drive Future Success”. [Details](#).
- **2:00pm – NQF Meeting: Readmissions** – NQF holds a backup measure evaluation meeting of the Readmissions Standing Committee to discuss the All-Cause Admissions and Readmissions project. [Details](#).
- **2:00pm – NQF Meeting: Patient Experience** – NQF holds a backup measure evaluation meeting of the Patient Experience and Function Standing Committee to discuss program updates. [Details](#).
- **3:00pm – CMS Webinar: Health Equity/Data Science** – The Centers for Medicare and Medicaid Services (CMS) holds a webinar to discuss CMS Health Equity Framework and how key stakeholders are leveraging changes in data science and quality measurements to drive progress towards more equitable care. [Details](#).
- **6:00pm – MAC Meeting: RPM/RTM for Non-Implantable Devices** – Medicare Administrative Contractors (MACs) Novitas Solutions and First Coast Service Options host a multi-jurisdictional Contractor Advisory Committee meeting to discuss the strength of published evidence on remote physiologic monitoring (RPM) and remote therapeutic monitoring (RTM) for non-implantable devices. [Details](#).

### Wed. (3/1)

- **8:30am – Hearing: Data Privacy** – The House Energy and Commerce Innovation, Data, and Commerce Subcommittee holds a hearing to discuss promoting innovation through a national standard for data privacy. [Details](#).
- **9:00am – Hearing: Fentanyl Crisis** – The House Judiciary Subcommittee on Crime and Federal Government Surveillance holds a hearing titled “The Fentanyl Crisis in America: Inaction is No Longer an Option”. [Details](#).

- **10:30am – HITAC Meeting: Interoperability Standards** – The Health Information Technology Advisory Committee (HITAC) holds a meeting of the Interoperability Standards Workgroup to discuss program updates. [Details.](#)

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

- **10:00am – Hearing: Community Health Centers** – The Senate Committee on Health, Education, Labor and Pensions holds a hearing titled “Community Health Centers: Saving Lives, Saving Money”. [Details.](#)
- **11:00am – NIH Meeting: AIDS Research** – The National Institutes of Health hold a meeting of the Office of AIDS Research Advisory Council (OARAC) to discuss working group updates. [Details.](#)
- **Meeting: MedPAC** – The Medicare Payment Advisory Commission (MedPAC) meets to discuss Medicare issues and policy questions. [Details.](#)
- **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.](#)

#### **Fri. (3/3)**

- **Meeting: MedPAC** – The Medicare Payment Advisory Commission (MedPAC) meets to discuss Medicare issues and policy questions. [Details.](#)
- **12:00pm – AHP Discussion: PHE** – The Alliance for Health Policy holds a webinar to discuss considerations for using the COVID-19 public health emergency (PHE) flexibilities to improve person-centered, equitable care for older adults and future telehealth policy. [Details.](#)
- **1:00pm – AEI Discussion: Access to Obesity Care** – The American Enterprise Institute hosts a discussion on the evolution of obesity treatment and what it means for patients’ well-being and health systems’ finances. The use of technology and coverage and reimbursement reforms to expand successful treatment will also be discussed. [Details.](#)

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

- **February 28-March 1 – FDA Meeting: Vaccines and Related Biological Products** – The Food and Drug Administration (FDA) holds a meeting of the Vaccines and Related Biological Products Advisory Committee (VRBPAC) to discuss and make recommendations on the safety and effectiveness of Respiratory Syncytial Virus Vaccines ABRYSV0, manufactured by Pfizer Inc. and AREXVY, manufactured by GSK. [Details.](#)
- **March 1-March 2 – HRSA Meeting: Childhood Vaccines Research** – The Health Resources and Services Administration (HRSA) holds a meeting of the Advisory Council on Childhood Vaccines (ACCV) to discuss program updates [Details.](#)
- **March 1-March 2 – NIH Workshop: Sexual and Gender Minorities**– NIH holds a workshop of the National Institute on Minority Health and Health Disparities (NIMHD) to identify priority research areas to understand and address health disparities experienced by sexual and gender minority (SGM) populations. [Details.](#)
- **March 1-March 2 – NIH Workshop: Alzheimer’s** – NIH holds a workshop of the National Institute on Aging (NIA) to explore computational approaches to advancing the study of aging and Alzheimer’s Disease. [Details.](#)
- **March 2-March 3 – HHS Meeting: Physician-Focused Payment Model Technical Advisory Committee** – HHS holds a meeting of the Physician-Focused Payment Model Technical Advisory Committee (PTAC) to discuss proposals for physician-focused payment models (PPFMs). [Details.](#)

#### **FEATURED WHG ANALYSIS**

- **WHG Tracker of COVID-19 PHE Flexibilities** – In the Policy Hub Insight Bank [here](#)

- **WHG Health Policy Guide to the 118<sup>th</sup> Congress** – In the Policy Hub Insight Bank [here](#).
- **WHG Roundup of Surprise Billing and Transparency Updates**– In the Policy Hub Insight Bank [here](#).
- **WHG Maternal Health Policy Update: November – December 2022** – In the Policy Hub Insight Bank [here](#).

## REGULATORY LOOKBACK

### Fri. (2/24)

- **CMS issued** a proposed rule that seeks to further clarify the treatment of inpatient days associated with Medicaid Section 1115 demonstrations in the calculation of Medicare disproportionate share hospital (DSH) payments. Comments are due April 28. [Details](#).

### Thurs. (2/23)

- **CMS opened** the portal for group health plans and health insurance issuers offering group or individual health insurance coverage to submit a Gag Clause Prohibition Compliance Attestation (GCPA). [Details](#).
- **The USPSTF released** a draft research plan on interventions to prevent perinatal depression. Comments are due March 22. [Details](#).
- **HHS ODPHP announced** the availability of the draft Physical Activity Guidelines Midcourse Report on Older Adults. Comments are due March 10. [Details](#).

### Weds. (2/22)

- **CMS issued** a proposed rule to implement requirements under section 203 of the Consolidated Appropriations Act, 2021 (CAA), which relate to Medicaid shortfall and third-party payments. Comments are due April 25. [Details](#).

### Tues. (2/21)

- **CMMI announced** it is now accepting applications to participate in the forthcoming two-year extension of the Bundled Payments for Care Initiative (BPCI) Advanced Model. [Details](#).

## COMMENT & APPLICATION DEADLINES

- **March 6:** FNS [announced](#) \$60.58 million in funding for round two Reach and Resiliency grants in The Emergency Food Assistance Program (TEFAP). [Details](#).
- **March 4:** CMS [announced](#) the CY 2024 Advance Notice for MA and Part D. [Details](#).
- **March 9:** The FDA [issued](#) a proposed rule to establish a new annual reporting requirement for investigational new drug applications. [Details](#).
- **March 9:** The FDA [issued](#) draft guidance on content of human factors information in medical device marketing submissions. [Details](#).
- **March 10:** HHS ODPHP [announced](#) the availability of the draft Physical Activity Guidelines Midcourse Report on Older Adults. [Details](#).
- **March 11:** CMS [released](#) initial guidance for the Medicare Part B and Medicare Part D Prescription Drug Inflation Rebate Program. [Details](#).
- **March 13:** CMS [released](#) a proposed rule to improve the electronic exchange of health care data and streamline prior authorization. [Details](#).
- **March 14:** HHS and other agencies jointly [issued](#) a proposed rule to restore protections against religious discrimination for beneficiaries and prospective beneficiaries of federally funded services and programs. [Details](#).
- **March 14:** HHS [issued](#) a SNPRM on the elimination of waiver requirements to prescribe OUD treatments. [Details](#).
- **March 15:** The USPSTF [issued](#) a request for nominations to serve as members of the Task Force. [Details](#).
- **March 19:** The FDA [issued](#) draft guidance on optimizing the dosage of human prescription drugs and biological products for the treatment of oncologic diseases. [Details](#).

- **March 22:** The USPSTF [released](#) a draft research plan on interventions to prevent perinatal depression. [Details.](#)
- **March 31:** The FDA [issued](#) draft guidance on recommendations for evaluating donor eligibility using individual risk-based questions to reduce the risk of HIV by blood and blood products. [Details.](#)
- **April 3:** HHS [proposed new rules](#) to expand access to contraceptive services under the ACA. [Details.](#)
- **April 12:** The OMB [requests](#) comments on initial proposals to improve the quality and usefulness of race and ethnicity data collected and reported across federal agencies. [Details.](#)
- **April 14:** CMS [issued](#) a proposed rule to require the disclosure of certain ownership, managerial, and other information regarding Medicare SNFs and Medicaid nursing facilities. [Details.](#)
- **April 25:** CMS [issued](#) a proposed rule to implement requirements under section 203 of the Consolidated Appropriations Act, 2021 (CAA), which relate to Medicaid shortfall and third-party payments. [Details.](#)
- **April 28:** CMS [issued](#) a proposed rule that seeks to further clarify the treatment of inpatient days associated with Medicaid Section 1115 demonstrations in the calculation of Medicare disproportionate share hospital (DSH) payments. [Details.](#)
- **May 24: The FNS** [released](#) a proposed rule to support online ordering in WIC. [Details.](#)

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