

Wynne Health Group Weekly



FRAMING THE WEEK

The House and Senate are both in session this week with debt limit discussions continuing to be a top priority. The President and the top four Congressional leaders were scheduled to meet last Friday for the second time, but the meeting was postponed until this Tuesday to allow more progress to be made on a staff level. There are only 2 ½ weeks remaining for a deal to be made before June 1, the “X date” when Treasury Secretary Janet Yellen has declared the nation will not be able to pay its bills. Adding to the pressure, the President is scheduled to travel to Japan later this week, and the Senate is scheduled to be on recess next week for the Memorial Day holiday. Meanwhile, the House Appropriations Committee was scheduled to start marking up the Fiscal Year 2024 bills this week, including one of the largest spending bills, the Department of Defense. The Defense bill has been pulled, but the Committee may move forward with some smaller bills including Military Construction-VA, Legislative Branch, Agriculture, and potentially Homeland Security.

Hearings and Markups:

The **House Ways and Means Committee** will have a [hearing](#) on Tuesday titled “Health Care Price Transparency: A Patient’s Right to Know.” The hearing will examine “how a lack of transparency in America’s health care system increases costs and prevents patients from being effective health care shoppers.”

The **House Committee on Ways and Means Subcommittee on Health** will hold a [hearing](#) next Wednesday to identify how anticompetitive practices and consolidation negatively affect patient cost and access to health care.

The **Senate HELP Subcommittee on Primary Health and Retirement Security** is having a mental health focused [hearing](#) on Wednesday titled “A Crisis in Mental Health and Substance Use Disorder Care: Closing Gaps in Access by Bringing Care and Prevention to Communities.”

The **Senate Finance Committee Subcommittee on Health** will hold [hearing](#) on Wednesday focused on rural health care. Witnesses include: Erin Aune, MBA, CRHCP, Vice President Of Strategic Programs, Frances Mahon Deaconess Hospital, Glasgow, MT; Sara Rich, President And CEO, Choptank Community Health System, Denton, MD; and, Mark Holmes, Director, Cecil G. Sheps Center For Health Services Research, The University of North Carolina at Chapel Hill.

Regulatory Update

The Office of Management and Budget is reviewing a number of rules.

- **Calendar year 2024 Medicare payment policies** – specifically, proposed updates to the [Physician Fee Schedule](#) and payment and policy updates for [hospital outpatient departments and ambulatory surgical centers](#), [home health agencies](#), and [end-stage renal disease facilities](#);
- **TCET Pathway** – [Proposed rule](#) that would establish criteria for an alternative coverage pathways to provide transitional coverage for emerging technologies (TCET) under Medicare;
- **Short-Term Plans** – [Proposed rule](#) that would ensure short-term limited duration insurance includes protections for people with pre-existing conditions and other ACA protections; and
- **COVID-19 Vaccination Requirement** – [Final rule](#) on COVID-19 vaccination requirements for staff at Medicare- and Medicaid- participating providers and suppliers.

THIS WEEK IN HEALTH POLICY

Mon. (5/15)

- **10:00am – BPC Discussion: Debt Ceiling Priorities** – The Bipartisan Policy Center (BPC) holds a discussion with leading conservative voices about Republican priorities in a divided government, focusing on federal deficits, health care and more. [Details.](#)
- **12:00pm – AHRQ Webinar: Racial Bias and Health Care Algorithms** – The Agency for Healthcare Research and Quality (AHRQ) and the National Institute on Minority Health and Health Disparities (NIMHD) hold a presentation on draft guidance principles for preventing or mitigating health care algorithm-related biases that affect racial and ethnic minority populations that experience health disparities. [Details.](#)

Tue. (5/16)

- **10:00am – NIH Symposium: Women’s Health** – The National Institutes of Health (NIH) holds a symposium by the Office of Research on Women’s Health on “Menopause and Optimizing Midlife Health of Women.” [Details.](#)
- **10:00am – Hearing: Health Care Price Transparency** – The House Committee on Ways and Means holds a hearing to examine transparency in the health care system to better inform patients’ choices. [Details.](#)
- **10:00am – Hearing: Artificial Intelligence Rules** – The Senate Judiciary Subcommittee on Privacy, Technology, and the Law holds an oversight hearing to examine artificial intelligence (AI), focusing on rules for AI. [Details.](#)
- **10:00am – Hearing: Artificial Intelligence Regulation** – The Senate Homeland Security and Governmental Affairs Committee (HSGAC) holds a hearing to examine artificial intelligence in government. [Details.](#)
- **2:00pm – Hearing: Cyberattack Protection** – The House Energy and Commerce Subcommittee on Oversight and Investigations holds a hearing to examine the expertise of sector specific agencies in protecting critical infrastructure from cyberattacks. [Details.](#)

Wed. (5/17)

- **10:00am – HITAC Meeting: Health IT Advisory Committee** – The Health Information Technology Advisory Committee (HITAC) holds a meeting of the Health IT Advisory Committee to discuss program updates. [Details.](#)
- **10:00am – Hearing: Mental Health** – The Senate Health, Education, Labor, and Pensions Subcommittee on Primary Health and Retirement Security holds a hearing to examine bringing care and prevention to communities to close access gaps to mental health and substance use disorder care. [Details.](#)
- **10:00am – Hearing: COVID-19 Nursing Home Mortality** – The House Committee on Oversight and Accountability Select Subcommittee on the Coronavirus Pandemic holds a hearing titled “Like Fire Through Dry Grass: Nursing Home Mortality & COVID-19 Policies.” [Details.](#)

- **10:30am – Markup: HSGAC Cybersecurity Bills** – The Senate HSGAC holds a business meeting to consider various cybersecurity bills, among other topics, including “Rural Hospital Cybersecurity Enhancement Act”. [Details.](#)
- **2:00pm – Hearing: MA Health Care Denials** – The Senate HSGAC Subcommittee on Health Care holds a hearing to examine health care denials and delays in Medicare Advantage. [Details.](#)
- **2:00pm – Hearing: Health Care Anticompetitive Practices** – The House Ways and Means Health Subcommittee holds a hearing to identify how anticompetitive practices and market consolidation negatively affect patient cost and access to health care. [Details.](#)
- **2:00pm – LAN Discussion: Health Equity/Community-Based Organizations** – The Health Care Payment and Learning Network (LAN) holds the first of its three-part LAN Spring Series to hear from community-based organizations (CBOs) on their experiences building trust and effective partnerships. [Details.](#)
- **2:00pm – Health Affairs Discussion: ASPR Policy** – Health Affairs holds a Policy Spotlight discussion with Dawn O’Connell, the Assistant Secretary for Preparedness and Response (ASPR) at the Department of Health and Human Services (HHS). [Details.](#)
- **2:30pm – Hearing: Health Care Access in Rural Communities** – The Senate Finance Subcommittee on Health Care holds a hearing to examine obstacles and opportunities to improve health care access in rural communities. [Details.](#)

Thurs. (5/18)

- **9:00am – FDA Meeting: Tobacco Products Advisory Committee** – The FDA holds a meeting of the Tobacco Products Scientific Advisory Committee (TPSAC) to discuss the proposed Requirements for Tobacco Product Manufacturing Practice rule (proposed 21 CFR part 1120). [Details.](#)
- **9:30am – Hearing: Nursing Home Oversight** – The Senate Committee on Aging holds a hearing to examine the strained nursing home inspection system and the need to improve oversight, transparency, and accountability. [Details.](#)

Fri. (5/19)

- **1:00pm – BPC Discussion: Low-Income Housing Tax Credits** – The BPC holds a discussion on the scale of Low-Income Housing Tax Credit (LIHTC) affordability phaseouts in coming years and to highlight bipartisan proposals to strengthen LIHTC. [Details.](#)

Additional Multi-Day Events

- **May 18-May 19 – NIH Meeting: NIH Test Methods** – The NIH holds a meeting of the Interagency Coordinating Committee on the Validation of Alternative Methods on current activities related to the development and validation of alternative test methods and approaches. [Details.](#)
- **May 16-May 19 – HITAC Meeting: Health Data, Technology, and Interoperability Proposed Rule** – The Health Information Technology Advisory Committee (HITAC) holds a meeting of the HTI-1 Proposed Rule Task Force 2023 to evaluate and provide draft recommendations to the HITAC on the Health Data, Technology, and Interoperability: Certification Program Updates, Algorithm Transparency, and Information Sharing (HTI-1) Proposed Rule. [Details.](#)

FEATURED WHG ANALYSIS

- **WHG Chart: PBM Legislation Under Consideration** – In the Policy Hub Insight Bank [here.](#)
- **WHG Tracker of COVID-19 PHE Flexibilities** – In the Policy Hub Insight Bank [here](#)
- **WHG Health Policy Guide to the 118th Congress** – In the Policy Hub Insight Bank [here.](#)
- **WHG Roundup of Surprise Billing and Transparency Updates**– In the Policy Hub Insight Bank [here.](#)

CONGRESSIONAL LOOKBACK

Thurs. (5/11)

- **The Senate HELP Committee** [reconvened](#) its markup of the following bipartisan bills that address pharmacy benefit managers (PBMs) and generic drugs. [Details](#).
- **The House E&C Health Subcommittee** [convened](#) a hearing to discuss reauthorization of the Pandemic and All-Hazards Preparedness Act (PAHPA). [Details](#).

Wed. (5/10)

- **The Senate HELP Committee** [convened](#) a hearing to examine insulin affordability and lowering the cost of prescription drugs. [Details](#).

Tues. (5/9)

- **The House Agriculture Committee leadership** [launched](#) an online portal to gather feedback about the Farm Bill from non-committee members and the public. Comments are due June 9. [Details](#).

REGULATORY LOOKBACK

Fri. (5/12)

- **CMS** released the Medicare Part D Manufacturer Discount Program Guidance and request for comment. [Details](#).

Thurs. (5/11)

- **CMMI** [published](#) a piece in Health Affairs that details the progress it has made since launching its new [2030 vision](#). [Details](#).
- **HHS** [issued](#) an amendment to the PREP Act to update the determination of a public health emergency related to COVID-19. [Details](#).
- **The NIH** [announced](#) \$140 million dollars for the launch of a new initiative, the Common Fund's Somatic Mosaicism Across Human Tissues (SMaHT) Network. [Details](#).
- **The FDA** [issued](#) final guidance on recommendations for evaluating donor eligibility using individual risk-based questions to reduce the risk of HIV transmission by blood and blood products. [Details](#).

Wed. (5/10)

- **The USPSTF** [is requesting](#) comment on a draft recommendation statement, draft evidence review, and draft modeling report on screening for breast cancer. Comments are due June 5. [Details](#).
- **The GAO** [released](#) a report on midwife-assisted births, the midwifery workforce, and midwifery education. [Details](#).

Tues. (5/9)

- **The DEA and SAMHSA** jointly [issued](#) a temporary rule (press release) that extends COVID-19 telemedicine flexibilities for prescription of controlled medications through November 11, 2023. [Details](#).
- **The Surgeon General** [released](#) a Surgeon General Advisory calling attention to the epidemic of loneliness and isolation in the country. [Details](#).

Mon. (5/8)

- **HHS** [announced](#) two new initiatives by the Biden-Harris Administration to improve access to mental health resources and support for those addressing mental health challenges. [Details](#).
- **CMS** [released](#) an informational bulletin that provides key dates for expiration of Medicaid and CHIP COVID-19 requirements and flexibilities. [Details](#).

COMMENT & APPLICATION DEADLINES

- **May 22:** The AHRQ [issued](#) a request for nominations for new members of the National Advisory Council for Healthcare Research and Quality. [Details.](#)
- **May 24:** The FNS [released](#) a proposed rule to support online ordering in WIC. [Details.](#)
- **May 26:** The AHRQ [issued](#) a request for nominations for new members of the National Advisory Council for Healthcare Research and Quality. [Details.](#)
- **May 30:** CMS [released](#) the FY 2024 hospice payment rate update proposed rule. [Details.](#)
- **June 2:** CMS [released](#) the FY 2024 IRF PPS proposed rule. [Details.](#)
- **June 5:** The USPSTF [is requesting](#) comment on a draft recommendation statement, draft evidence review, and draft modeling report on screening for breast cancer. [Details.](#)
- **June 9:** CMS [released](#) the FY 2024 IPPS and LTCH PPS proposed rule. [Details.](#)
- **June 9:** The House Agriculture Committee leadership [launched](#) an online portal to gather feedback about the Farm Bill from non-committee members and the public. [Details.](#)
- **June 16:** HHS OCR [released](#) a proposed rule to modify HIPAA Privacy Rule to better protect sensitive information related to reproductive health care. Comments are due June 16. [Details.](#)
- **June 20:** HHS ONC [issued](#) a proposed rule to revise and enhance the ONCE Health IT Certification Program. Comments are due June 20. [Details.](#)
- **June 23:** CMS [released](#) a proposed rule to revise the definition of “lawfully present” in order to expand eligibility for health insurance coverage through the Exchange, Medicaid, and Basic Health Program to recipients of the Deferred Action for Childhood Arrivals (DACA) program. [Details.](#)
- **June 30:** The NIH [issued](#) an RFI inviting input on research opportunities and best practices for Food is Medicine research program. [Details.](#)
- **July 3:** CMS [released](#) a proposed rule aimed at strengthening access to and quality of care across Medicaid services. [Details.](#)
- **August 28:** The FDA [issued](#) an RFI to assess whether in-home disposal products can mitigate the risk of nonmedical use or overdose of opioid analgesics. Submissions are due August 28. [Details.](#)
- **September 6:** The FDA [issued](#) a proposed rule to establish tobacco product manufacturing practice (TPMP) requirements. [Details.](#)
- **September 29:** The CDC [issued](#) a request for nominations for members to serve on the Healthcare Infection Control Practices Advisory Committee (HIPAC). [Details.](#)

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