

Impact Health Policy Weekly

Framing the Week

Congressional Update

Both the House and Senate are in session this week, though the House schedule is still up in the air following the continued stalemate between Speaker Kevin McCarthy and a group of conservative Republicans. Last week the House Freedom Caucus ground Speaker McCarthy's legislative agenda to a halt protesting the Fiscal Responsibility Act, the bipartisan deal Speaker McCarthy made with President Biden. Conservatives are also upset over the leadership's handling of a bill to loosen a gun regulation. The Republican party remains far from united and Speaker McCarthy's efforts to pass important pieces of legislation including the 12 annual appropriations bills and the Farm Bill won't be an easy feat.

Alzheimer's Disease, access to specialty care, rare disease research, and public health security will be the focus of three health-related hearings this week in the House Energy and Commerce and Senate HELP Committees. The full House Appropriations Committee is also expected to take up the several FY 2024 bills that passed through Subcommittee last month.

Hearings

House Energy & Commerce Committee: The Energy & Commerce Health Subcommittee will hold its [second hearing](#) to inform the reauthorization of programs and authorities originally established in the Pandemic and All Hazards Preparedness Act (PAHPA) ahead of their September 30, 2023, expiration date. The [first hearing](#) focused on the Strategic National Stockpile and supply chain issues ([Impact Health summary](#)). Tomorrow, the Health Subcommittee will discuss 21 bills, including 10 bipartisan bills, to bolster preparedness and response for all hazards and public health security threats. The agenda features bills that address topics in the Health Subcommittee's [request for information](#) issued in March – including, national strategy and coordination, emergency preparedness and response infrastructure and workforce, community engagement, medical countermeasures, and infection control and prevention ([Impact Health summary](#)).

On Thursday, the Energy and Commerce Health Subcommittee will hold a [hearing](#) examining 9 legislative proposals that focus on providing access to care for mothers, children, cancer patients and first responders, as well as support research for rare diseases. These will not all be bipartisan bills. The bill to reauthorize the Children's Graduate Medical Education program contains a provision that prohibits funding to go to institutions that provide gender affirming care.

Senate HELP Committee: On Thursday, the Senate HELP Committee will hold a [hearing](#) on several pieces of legislation, including the National Alzheimer's Project Reauthorization bill and the Alzheimer's Accountability and Investment Act.

Regulatory Update

A [request for information](#) on an episode-based payment model recently arrived at the Office of Management and Budget (OMB) for review. OMB is also reviewing the following rules:

- **Minimum staffing standards for long-term care facilities** – [Proposed rule](#) would address staffing requirements at long-term care facilities, including nursing homes.
- **340B Drug Pricing Program** – [Proposed rule](#) regarding potential remedies for safety-net hospitals affecting cost years 2018-2022. In *American Hospital Association v. Becerra*, the Supreme Court ruled in favor of safety-net hospitals that challenged Medicare reimbursement cuts for prescription drugs provided in outpatient settings.
- **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; and
- **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.

This Week in Health Policy

Tue. (6/13)

- **9:30am – SAMHSA Meeting: Drug Testing Updates** – The Substance Abuse and Mental Health Services Administration (SAMHSA) holds a meeting of the Center for Substance Abuse Prevention’s Drug Testing Advisory Board to discuss mandatory guidelines for federal workforce drug testing programs and other updates. [Details.](#)
- **10:15am – Hearing: HHS Priorities** – The House Committee on Education and the Workforce holds a hearing to examine policies and priorities of the Department of Health and Human Services (HHS). HHS Secretary Xavier Becerra will be testifying. [Details.](#)
- **10:30am – Hearing: CDC COVID-19 Policies** – The House Committee on Oversight and Accountability Select Subcommittee on the Coronavirus Pandemic holds a hearing titled “Oversight of CDC Policies and Decisions During the COVID-19 Pandemic.” [Details.](#)
- **10:30am – Hearing: All Hazards and Public Health Security Threats** – The House Energy and Commerce Subcommittee on Health holds a markup to examine legislative solutions for preparedness and response to public health security threats and hazards. [Details.](#)
- **1:00pm – Hearing: Veteran Care Coordination**– The House Committee on Veterans’ Affairs Subcommittee on Health Oversight holds a hearing titled “Care Coordination: Assessing Veteran Needs and Improving Outcomes.” [Details.](#)
- **1:00pm – U.S. News Discussion: Pharmacy’s Evolving Role** – U.S. News and World Report holds a discussion about the evolving role of pharmacists in medication management and helping customers understand drug interactions. [Details.](#)
- **2:30pm – Hearing: Artificial Intelligence** – The Senate Judiciary Subcommittee on Human Rights and the Law holds a hearing to examine artificial intelligence and human rights. [Details.](#)
- **3:00pm – HITAC Meeting: Annual Report Workgroup** – The Health Information Technology Advisory Committee (HITAC) holds a meeting of the Annual Report Workgroup to discuss program updates. [Details.](#)

Wed. (6/14)

- **10:00am – HHS Meeting: Reproductive Privacy Rulemaking** – HHS holds a meeting of the National Committee on Vital and Health Statistics to consider what comments it will make on the Notice of Proposed Rulemaking “HIPAA Privacy Rule to Support Reproductive Health Care Privacy”. [Details.](#)
- **10:00am – Hearing: Unaccompanied Children** – The Senate Judiciary Committee holds a hearing to examine ensuring the safety and well-being of unaccompanied children. [Details.](#)

- **10:00am – Hearing: Anti-Poverty and Family Support** – The Senate Committee on Finance holds a hearing to examine anti-poverty and family support provision in the tax code. [Details.](#)
- **10:30am – Business Meeting: Cybersecurity** – The Senate Homeland Security and Governmental Affairs Committee holds a business meeting to discuss several cybersecurity bills. [Details.](#)
- **10:30am – Hearing: Access to Care and Rare Diseases Research** – The House Energy and Commerce Subcommittee on Health holds a markup to examine legislation that would reauthorize key programs that provide access to care for mothers, children, cancer patients and first responders, as well as support research for rare diseases. [Details.](#)
- **12:30pm – KFF Discussion: PBM Practices** – KFF holds a Health Wonk Shop series discussion focusing on the power and controversial business practices of PBMs. [Details.](#)
- **2:00pm – BPC Discussion: PAHPA Reauthorization** – The Bipartisan Policy Center (BPC) holds a discussion related to the upcoming Pandemic and All-Hazards Preparedness Act (PAHPA) reauthorization and policy solutions to improve the nation’s preparedness. [Details.](#)
- **3:00pm – Hearing: Substance Use Disorder Care for Veterans** – The Senate Veterans’ Affairs Committee holds a hearing to examine improving substance use disorder care for veterans in rural America and beyond. [Details.](#)

Thurs. (6/15)

- **8:00am – AXIOS Discussion: Health Preparedness Workforce** – Axios holds a discussion to examine how health care providers, federal agencies and policymakers can bolster the health workforce and improve pandemic preparedness. [Details.](#)
- **8:30am – FDA Meeting: COVID-19 Vaccine Recommendations** – FDA holds a meeting of the Vaccines and Related Biological Products Advisory Committee to discuss and make recommendations on the selection of strain(s) to be included in the periodic updated COVID-19 vaccines for the 2023-2024 vaccination campaign. [Details.](#)
- **9:30am – 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.](#)
- **9:30am – Hearing: Emergency Planning for People with Disabilities** – The Senate Aging Committee holds a hearing to examine planning for older Americans and people with disabilities in all phases of emergencies. [Details.](#)
- **10:00am – Business Meeting: Alzheimer’s and other Federal Program** – The Senate Health, Education, Labor, and Pensions holds a business meeting to consider several bills relating to the National Alzheimer’s Project, the rural emergency medical service training an equipment assistance program, the Food and Drug Administration (FDA) user fee programs, the Public Health Service Act, and Special Diabetes Programs.. [Details.](#)
- **10:00am – BPC Discussion: Next Steps for Congress in AI and Data Privacy** – BPC holds a discussion focused on what comes next for AI and data privacy following the Gonzalez v. Google decision. Topics will include the impact of policy shifts in AI-powered content. [Details.](#)

Fri. (6/16)

- **10:00am – FDA Meeting: Childhood Cancer Drug Dose Review** – FDA holds a meeting of the Oncologic Drugs Advisory Committee’s Pediatric Oncology Subcommittee to discuss considerations related to dosage optimization of new drug and biological products for pediatric patients with cancer. [Details.](#)

Additional Multi-Day Events

- **June 12-June 13 – ASPE Meeting: Physician-Focused Payment Model Committee** – The Office of the Assistant Secretary for Planning and Evaluation (ASPE) holds a meeting of the Physician-Focused Payment Model Technical Advisory Committee (PTAC) to discuss improving care transition withing population-based total cost of care (PB-TCOC) models. Topics will include

innovative approaches for improving management of care transitions across settings of care, designing financial incentives for improving care transition management and addressing care transitions in APM model design. [Details.](#)

- **June 13-June 14 – HRSA Meeting: Infant and Maternal Mortality** – The Health Resources and Services Administration (HRSA) holds a meeting of the Advisory Committee on Infant and Maternal Mortality (ACIMM) to discuss federal updates and the Healthy Start Program. [Details.](#)
- **June 15-June 16 – HHS Meeting: National Vaccine Advisory** – HHS holds a meeting of the National Vaccine Advisory Committee to discuss vaccine fatigue, post-pandemic immunization insights and Inflation Reduction Act changes to Medicaid and Medicare. [Details.](#)

Featured Analysis

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

Congressional Lookback

Thurs. (6/8)

- **The Senate Finance Committee [convened](#)** a hearing to address significant concerns regarding consolidation and corporate ownership in the health care system. [Details.](#)

Regulatory Lookback

Fri. (6/9)

- **The Biden Administration [announced](#)** a list of 43 Part B prescription drugs where beneficiaries may see lower coinsurances between July 1 – September 30, 2023. [Details.](#)
- **HHS [unveiled](#)** the STI Federal Implementation Plan. [Details.](#)
- **HRSA [announced](#)** the new Pediatric Specialty Loan Repayment Program which will invest \$15 million to recruit and retain pediatric clinicians.

Thurs. (6/8)

- **CMS [issued](#)** a final rule to create a policy governing the treatment of days associated with MA beneficiaries for the purposes of determining a hospital's Medicare DSH. [Details.](#)
- **CMMI [announced](#)** it is planning to test a new voluntary, advanced primary care model. [Details.](#)

Mon. (6/5)

- **HHS OIG [released](#)** the Semiannual Report to Congress which provides an overview of the Agency's activities from October 2022 through March 2023. [Details.](#)
- **The USPSTF [published](#)** a final research plan on interventions to prevent perinatal depression. [Details.](#)
- **The CBO [released](#)** updated projections on health insurance coverage for individuals under 65, revealing a record low uninsurance rate of 8.3%. [Details.](#)

Comment & Application Deadlines

- **June 16:** HHS OCR [released](#) a proposed rule to modify HIPAA Privacy Rule to better protect sensitive information related to reproductive health care. [Details.](#)
- **June 20:** HHS ONC [issued](#) a proposed rule to revise and enhance the ONCE Health IT Certification Program. [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.](#)
- **November 17:** The FDA [issued](#) a proposed rule to amend its prescription drug labeling regulations to require the inclusion Patient Medication Information (PMI). [Details.](#)