

Impact Health Policy Weekly

Framing the Week

Congress returns this week to a busy three-week work period leading up to the August recess. Senate Majority Leader Chuck Schumer (D-NY) [released a letter](#) over the weekend outlining an ambitious agenda for July, including FY 2024 appropriations, NDAA Reauthorization, and a host of bipartisan proposals including bills that would “lower the cost of insulin and prescription drugs, combat the fentanyl crisis, unlock permitting reform, advance online safety and innovation, promote community health, hold bank executives accountable, address rail safety, modernize federal aviation programs, institute common-sense farm policy, safeguard cannabis banking, compete with the Chinese government, and more.”

On the House side, the NDAA bill heads to the floor this week, though it will quickly run into challenges with the nearly 1,400 amendments that have already been filed and the leadership’s attempts to include policy provisions restricting service member’s access to abortion and gender affirming care.

This week the Energy and Commerce Committee is expected to mark up their [Pandemic and All-Hazards Preparedness Act \(PAHPA\) reauthorization bill](#), though a date has not been officially posted. The House version maintains current funding levels for PAHPA programs. Republicans remain opposed to Democrats’ push for [proposals](#) in the PAHPA reauthorization package to address drug and device supply chain vulnerabilities. The Senate is also expected to mark up a PAHPA reauthorization bill this month. On Monday the Senate HELP Committee unveiled a bipartisan [discussion draft \(press release\)](#).

The House and Senate Appropriations Committees are also expected to resume activity on marking up fiscal year 2024 bills. Both Committees passed their top line spending levels and Subcommittee allocations before the break. What was supposed to be an easy appropriations process following the debt limit deal has become anything but with the House and Senate top line amounts \$119 billion apart. While both chambers will cut Labor-HHS spending from FY 23, the Senate will cut 6%, while the House will cut 29%. This sets up a very messy fall.

Hearings

Senate HELP Committee: On Tuesday the Senate HELP Committee Subcommittee on Primary Health and Retirement Security will have a [hearing](#) titled Superbugs: The Impact of Antimicrobial Resistance on Modern Medicine.

Regulatory Update

In case you missed it, we wanted to make sure that you have [Impact Health's Regulatory Outlook](#). We highlight federal regulatory actions by the following policy areas:

- A. **Coverage and Payment:** Medicaid, Medicare, Private Insurance
- B. **Cross-Cutting Topics:** Behavioral Health, Drug Pricing, Health IT and Digital Health, Mergers, and Nondiscrimination Protections
- C. **Public Health and Safety:** Food and Drug Administration and Public Health
- D. **Social Drivers of Health:** Housing, Nutrition, and Social Services

We may soon see proposed updates to the Medicare [Physician Fee Schedule](#) and [hospital outpatient departments and ambulatory surgical centers](#) for calendar year 2024, which have cleared review at OMB. So far, the Centers for Medicare and Medicaid Services (CMS) has released proposed rules for home health agencies ([client summary](#)) and end-stage renal disease facilities ([client summary](#)). Several fiscal year 2024 Medicare payment final rules arrived at OMB last week for review, including updates for skilled nursing facilities, inpatient rehabilitation facilities, and hospice. Final action is not expected until November. Additionally, OMB is reviewing the following:

- **Minimum staffing standards for long-term care facilities** – [Proposed rule](#) would address staffing requirements at long-term care facilities, including nursing homes.
- **Medicaid and CHIP** – [Final rule](#) intended to streamline the eligibility and enrollment process for Medicaid and CHIP

This Week in Health Policy

Mon. (7/10)

- **10:00am – BPC Discussion: Bank Capital Requirements** – The Bipartisan Policy Center (BPC) holds a discussion with Federal Reserve Vice Chair Michael Barr regarding recent bank failures and potential regulatory framework changes, with a particular focus on bank capital requirements. [Details.](#)
- **1:00pm – NIH Meeting: Cancer Research** – The National Institutes of Health (NIH) holds a meeting of the National Cancer Institute on ongoing and new activities at the Frederick National Laboratory for Cancer Research. [Details.](#)

Tue. (7/11)

- **10:00am – Hearing: Antimicrobial Resistance** – The Senate Health, Education, Labor, and Pensions Subcommittee on Primary Health and Retirement Security holds a hearing to examine [superbugs, focusing on the impact of antimicrobial resistance on modern medicine.](#) [Details.](#)
- **10:00am – Hearing: Special Diabetes Program** – The Senate Appropriations Committee holds a hearing to examine how the Special Diabetes Program impacts those living with type 1 diabetes. [Details.](#)
- **10:00am – Hearing: COVID-19 Origins** – The House Committee on Oversight and Accountability Select Subcommittee on the Coronavirus Pandemic holds a hearing titled “Investigating the Proximal Origin of a Cover Up.” [Details.](#)
- **2:00pm – BPC Discussion: Facial Recognition Technology** – The Bipartisan Policy Center (BPC) holds a discussion on the complex policy issues related to face recognition technologies and why developing legislation to govern its use has been difficult. [Details.](#)

Wed. (7/12)

- **10:30am – HITAC Meeting: Pharmacy Interoperability** – The Health Information Technology Advisory Committee (HITAC) holds a meeting of the Pharmacy Interoperability and Emerging Therapeutics Task Force to discuss program updates. [Details.](#)
- **11:15am – AHRQ Meeting: Health Care Research** – The Agency for Healthcare Research and Quality (AHRQ) holds a meeting of the National Advisory Council for Healthcare Research and Quality to discuss program updates, including on AHRQ's aging initiatives and consumer experience measurements. [Details.](#)
- **1:30pm – Policy Center for Maternal Mental Health Briefing: Family Planning Options** – The Policy Center for Maternal Mental Health holds a bipartisan Congressional briefing to educate members and staffers on the latest state and federal policies on family planning, the impact of unintended pregnancy on women, long-acting reversible contraception (LARC) for men, and policy recommendations to improve access to reproductive health care and maternal mental health. [Details.](#)
- **2:00pm – CDC Meeting: Native American Health Equity** – The Centers for Disease Control and Prevention (CDC) holds a meeting of the CDC and Agency for Toxic Substances and Disease Registry (ATSDR) to discuss advancements towards eliminating health disparities faced by tribal nations and promote health equity for American Indian and Alaska Native (AI/AN) people. [Details.](#)
- **2:00pm – Hearing: Reclaiming TANF Non-Assistance Dollars** – The House Ways and Means Subcommittee on Work and Welfare holds a hearing to examine reclaiming Temporary Assistance for Needy Families (TANF) dollars to support work and lift Americans out of poverty. [Details.](#)
- **2:00pm – BPC Discussion: Republican Priorities** – The Bipartisan Policy Center (BPC) holds a discussion with former Senate Majority Leader Trent Lott on Republican priorities and areas for potential policy impact for the rest of the 118th Congress. [Details.](#)
- **3:00pm – Hearing: Pending Legislation** – The Senate Committee on Veterans' Affairs holds a hearing to consider pending legislation. Legislation yet to be announced. [Details.](#)

Thurs. (7/13)

- **8:30am – NAMI Discussion: 988 Suicide and Crisis Lifeline** – The National Alliance on Mental Illness (NAMI) and The Hill hold a discussion with expert stakeholders to mark the one-year anniversary of the 988 Suicide and Crisis Lifeline and discuss future actions to ensure access to mental health care. HHS Secretary Xavier Becerra will be speaking at the event. [Details.](#)
- **9:00am – The Atlantic Summit: Food Security, Mental Health, and AI** – The Atlantic holds its Progress Summit featuring discussions on the future of food security, environmental equity, using technology to address the mental health crisis, and a model framework for artificial intelligence (AI) revolution. [Details.](#)
- **10:00am – Hearing: Future of FEMA** – The House Homeland Security Emergency Management and Technology Subcommittee holds a hearing to examine Federal Emergency Management Agency (FEMA) agency perspectives with FEMA Administrator Deanne Criswell. [Details.](#)

- **10:00am – Hearing: FTC Oversight** – The House Committee on the Judiciary holds an oversight hearing of the Federal Trade Commission (FTC), including the FTC’s record of enforcement actions and rulemakings. [Details.](#)
- **11:00am – Markup: General Government Appropriations** – The Senate Appropriations Subcommittee on Financial Services and General Government holds a markup of the “Financial Services and General Government Appropriations Act, 2024.” [Details.](#)

Additional Multi-Day Events

- **July 12-July 13 – NCD Meeting: Disabled Rights/Disparities** – The National Council on Disability holds a meeting to discuss program updates and addressing health disparities of people with disabilities. [Details.](#)

Featured Analysis

- ***NEW* Impact Regulatory Outlook: 2023 Unified Agenda** – In the Policy Hub Insight Bank [here.](#)
- **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

Mon. (7/3)

- **The Senate HELP Committee** unveiled and are seeking feedback on a bipartisan [discussion draft](#) of the 2023 Reauthorization of PAHPA. [Details.](#)

Regulatory Lookback

Fri. (7/7)

- **CMS** issued a [proposed rule](#) that describes the agency’s proposed actions to remedy the payment for 340B drugs for calendar years (CYs) 2018 through 2022. Comments are due September 5. [Details.](#)
- **HHS** released a [proposed rule](#) to ensure short-term, limited duration insurance (STLDI) and fixed indemnity benefits coverage do not undermine consumer protections and requirements under the ACA. Comments are due September 11. [Details.](#)
- **HHS** released [FAQs](#) on the No Surprises Act. [Details.](#)
- **The CFPB and HHS** issued an [RFI](#) on high-cost specialty financial products used to pay for health care. Comments are due September 5. [Details.](#)
- **ASPE** released a [report](#) on the projected impact of the Inflation Reduction Act (IRA) on Medicare Part D out-of-pocket (OOP) spending. [Details.](#)

Thurs. (7/6)

- **HHS** announced the launch of a new [Health Workforce Initiative](#) to strengthen and support the nation's health workforce. [Details.](#)

Comment & Application Deadlines

- **July 12:** The AHRQ issued requests for supplemental evidence and data submission to inform two Evidence-based Practice Centers (EPC) Program reviews: [Evaluation of Dietary Protein Intake Requirements](#) and [The Effect of Protein Intake on Health](#). [Details.](#)
- **July 15:** AHRQ is requesting [supplemental evidence](#) and data for systematic reviews that help answer research questions pertaining to *Nonpharmacologic Treatment for Maternal Mental Health Conditions*. [Details.](#)
- **July 21:** CMS recently opened a [public comment opportunity](#) related to cost measures for potential use in the Merit-Based Incentive Payment System (MIPS). [Details.](#)
- **August 23:** The FDA issued [draft guidance](#) entitled: "Psychedelic Drugs: Considerations for Clinical Investigations". [Details.](#)
- **August 25:** CMS released the CY 2024 ESRD PPS [proposed rule](#). [Details.](#)
- **August 26:** CMS released a [notice with comment](#) to establish the TCET pathway. [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 5:** CMS issued a [proposed rule](#) that describes the agency's proposed actions to remedy the payment for 340B drugs for calendar years (CYs) 2018 through 2022. [Details.](#)
- **September 5:** The CFPB and HHS issued an [RFI](#) on high-cost specialty financial products used to pay for health care. [Details.](#)
- **September 6:** The FDA [issued](#) a proposed rule to establish tobacco product manufacturing practice (TPMP) requirements. [Details.](#)
- **September 11:** HHS released a [proposed rule](#) to ensure short-term, limited duration insurance (STLDI) and fixed indemnity benefits coverage do not undermine consumer protections and requirements under the ACA. [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.](#)