

Impact Health Policy Weekly

Framing the Week

Congress

The House and Senate are both in session this week as the first of the two “laddered” Continuing Resolutions (CR) is set to expire on Friday, along with the health care extenders that are keeping programs such as the Community Health Centers, the Teaching Health Center GME program, the National Health Service Corps, and the Special Diabetes Program in operation, as well as the continued delay of scheduled Disproportionate Share Hospital (DSH) reductions under Medicaid. On Sunday evening, House and Senate leadership agreed to another laddered CR that would extend the current CR’s and keep the government in operation until March 1 for the for the Agriculture, Energy and Water, MilCon-VA and Transportation-HUD spending bills and March 8 for the remaining federal agencies.

Senate Majority Leader Schumer will bring up the CR and will need bipartisan cooperation to pass the CR as quickly as possible before sending it to the House. Speaker Johnson’s tenuous hold over a fractured Republican party continues into the new year as he will need all Democrats and at least 77 Republicans to vote for passage. Members of the House Freedom Caucus have already come out in opposition to the topline spending deal Speaker Johnson and Senator Schumer made earlier this month and will likely vote against another the CR as well. As the Appropriations Committees struggle to finalize their bills in the coming six weeks, many House Republicans are pushing for immigration policy riders to be attached to the spending bill rather than a separate supplemental. However, Democrats have made clear they will not accept any poison pill policy riders in any appropriation bill put before the Congress.

2024 Presidential Election

This week is the official kickoff of the Presidential Primary season as Iowa held their Republican caucuses last night. Former President Donald Trump won the caucus handily with 51% of the vote, followed by Florida Governor Ron DeSantis with 21% and former South Carolina Governor with 19%.

Hearings

Senate HELP Committee: On Thursday the Senate Health, Education, Labor, and Pensions will hold a [hearing](#) to examine addressing long COVID, focusing on advancing research and improving patient care.

Regulatory Update

The Office of Management and Budget (OMB) completed reviewing a [final rule](#) that would place new prior authorization requirements on Medicare Advantage organizations, Medicaid managed care plans, CHIP managed care entities, state Medicaid and CHIP fee-for-service programs, and qualified health plan issuers on the federal Exchange. This rule also adds a new measure for eligible hospitals and critical access hospitals under the Medicare Promoting Interoperability Program and for Merit-based Incentive Payment System (MIPS) eligible clinicians under the Promoting Interoperability performance category of MIPS.

OMB is also reviewing the following rules.

Medicare

- **Alternative Payment Models** – The [proposed rule](#) would implement a new Medicare payment model titled, Increasing Organ Transplant Access (IOTA) Model.
- **Medicare Advantage and Part D** – The [proposed rule](#) would make changes for CY 2025 for MA capitation rates and Part C and Part payment policies. Additionally, the proposed rule would provide draft CY 2025 Part D redesign program instructions.

Medicaid

- **Disproportionate Share Hospital Program** – The [final rule](#) would implement requirements under section 203 of the Consolidated Appropriations Act, 2021 (CAA), which relate to Medicaid shortfall and third-party payments.
- **Eligibility and Enrollment** – The [final rule](#) would implement changes to align enrollment and renewal requirements for most individuals in Medicaid and promote maintenance of coverage.
- **Managed Care** – The [final rule](#) is intended to improve access to care and quality outcomes for Medicaid and CHIP beneficiaries enrolled in managed care delivery systems.

Other Topics:

- **Healthcare System Resiliency and Modernization** – The [proposed rule](#) would revise and update national emergency preparedness requirements for Medicare- and Medicaid-participating providers and suppliers

This Week in Health Policy

Mon. (1/15)

- **Holiday: Martin Luther King, Jr. Day**

Tue. (1/16)

- **10:00am – Aspen Institute Discussion: AI and Cybersecurity** – The Aspen Institute holds a discussion on the impact of artificial intelligence (AI) on cybersecurity. Ben Buchanan, Special Advisor on Artificial Intelligence for the White House will be participating. [Details.](#)

Wed. (1/17)

- **10:00am – Hearing: Cybersecurity** – The Senate Homeland Security and Governmental Affairs Committee holds a hearing to examine the Cyber Safety Review Board, focusing on expectations, outcomes and enduring questions. [Details.](#)

- **10:00am – Hearing: Biden Administration’s Efforts on Immigration Law** – The House Oversight and Accountability Committee holds a hearing to examine the Biden Administration’s regulatory and policymaking efforts on immigration law. [Details.](#)
- **10:30am – Hearing: President Biden’s Border Policies** – The House Energy and Commerce Oversight and Investigations Subcommittee holds a hearing to examine President Biden’s border policies and their impact on fentanyl trafficking, supply chains, and the exploitation of unaccompanied migrant children. [Details.](#)
- **12:30pm – BPC Discussion: Top Health Care Policy Issues for 2024** – The Bipartisan Policy Center (BPC), in partnership with The Commonwealth Fund, hold a discussion on the 2024 health care landscape, including election year dynamics, congressional priorities, and the administration’s agenda for health issues. [Details.](#) AL/LM/LT have a CMWF blog in the works that will be published as part of this briefing.
- **2:00pm – Hearing: AI and the Workforce** – The House Oversight and Accountability Subcommittee on Cybersecurity, Information Technology, and Government Innovation holds a hearing titled “Toward and AI-Ready Workforce.” [Details.](#)
- **2:00pm – Hearing: Youth Aging Out of Foster Care** – The House Ways and Means Work and Welfare Subcommittee holds a hearing titled “Pathways to Independence: Supporting Youth Aging Out of Foster Care.” [Details.](#)

Thurs. (1/18)

- **10:00am – Hearing: Long COVID** – The Senate Health, Education, Labor, and Pensions holds a hearing to examine addressing long COVID, focusing on advancing research and improving patient care. [Details.](#) Do we think any clients would want coverage?
- **11:00am – HITAC Meeting: Health IT Advisory Committee** – The Health Information Technology Advisory Committee (HITAC) holds a meeting to discuss program updates, including recommendations to the National Coordinator on the topics of interoperability, privacy and security, patient access, and use of technologies that support public health. [Details.](#)

Fri. (1/19)

- **8:30am – HHS Meeting: Dietary Guidelines** – The Department of Health and Human Services (HHS) Office of Disease Prevention and Health Promotion holds a meeting of the 2025 Dietary Guidelines Advisory Committee to provide subcommittee updates, and deliberation by the full committee regarding progress made since the third public meeting, including protocol development, evidence review and synthesis, draft conclusion statements, and plans for future committee work. [Details.](#)
- **12:00pm – NIH Meeting: Pregnant/Lactating Women in Clinical Trials** – The National Institutes of Health (NIH) holds a meeting of the National Advisory Child Health and Human Development Council Task Force on Research Specific to Pregnant Women and Lactating Women Implementation Working Group for monitoring and reporting on implementation, updating

regulations, and guidance, as applicable, regarding the inclusion of pregnant women and lactating women in clinical trials. [Details.](#)

- **1:00pm – NIH Meeting: Complimentary/Integrative Health Ongoing Activities** – NIH holds a meeting of the National Center for Complementary & Integrative Health for reports and updates about recent and ongoing NCCIH led or involved activities by NCCIH staff and its director. [Details.](#)

Featured Analysis

- ***NEW* Impact Chart of Key Provisions of Legislative Proposals on Health Care Price Transparency Requirements** – In the Policy Hub Insight Bank [here.](#)
- **Impact Regulatory Outlook: Fall 2023 Unified Agenda** – In the Policy Hub Insight Bank [here.](#)
- **Impact Mental Health Legislative Update** – In the Policy Hub Insight Bank [here.](#)
- **Impact Artificial Intelligence Policy Round Up** – In the Policy Hub Insight Bank [here.](#)

Congressional Lookback

Fri. (1/12)

- **MedPAC** held day two of its January [public meeting](#) at which it discussed Medicare Advantage, including a status report and policy recommendations for standardized benefits. [Details.](#)

Thurs. (1/11)

- **The Ed & Workforce Subcommittee on HELP** convened a [hearing](#) that sets the stage for the Committee to further tackle high health care costs in the commercial sector. [Details.](#)
- **MedPAC** held day one of its January [public meeting at](#) which it voted on of final payment update recommendations to Medicare payment systems in 2025 and a Part D program update for inclusion in its March 2024 Report to Congress. [Details.](#)

Regulatory Lookback

Thurs. (1/11)

- **HHS OCR** issued a [final rule](#) that clarifies the process for enforcing federal conscience laws and strengthens protections against conscience and religious discrimination in health care. [Details.](#)

Tues. (1/9)

- **HRSA** announced a [notice of funding opportunity](#) under the State Maternal Health Innovation program. Applications are due April 2. [Details.](#)

- The DOJ issued a [NRPM](#) under Title II of the Americans with Disabilities Act (ADA) to update regulations regarding the accessibility of medical diagnostic equipment. Comments due February 12. [Details.](#)

Mon. (1/8)

- The GAO [issued](#) a request for letters of nomination and resumes for MedPAC. Nominations are due February 9. [Details.](#)
- SAMHSA is soliciting [public input](#) on a series of questions related to the prevention and treatment of maternal mental health conditions and substance use disorders. Responses are due January 31. [Details.](#)

Comment & Application Deadlines

- **January 16:** HHS announced the establishment of the Secretary's [Advisory Committee on Long COVID](#) and invites nominations for the Committee. [Details.](#)
- **January 19:** The ACF issued a proposed [rule](#) to strengthen the Head Start workforce by increasing wages.
- **January 22:** HHS is seeking [public input](#) on issues being discussed at World Health Organization (WHO) negotiations concerning pandemic response strategies. [Details](#)
- **January 30:** CMMI released an [RFA](#) for the GUIDE model. [Details.](#)
- **January 30:** HUD [announced](#) a [proposed rule](#) that would require 30-day written notice before eviction proceedings begin.
- **January 31:** SAMHSA is soliciting [public input](#) on a series of questions related to the prevention and treatment of maternal mental health conditions and substance use disorders. [Details.](#)
- **February 2:** CMS released an [interim final rule](#) with a comment period regarding the unwinding of continuous coverage requirements. [Details.](#)
- **February 5:** CMMI released the [NOFO](#) for the Ahead Model. [Details.](#)
- **February 6:** HHS and NIST released a [Draft Interagency Guidance Framework for Considering the Exercise of March-In Rights](#), which reviews the factors that an agency may consider when deciding whether to exercise march-in rights. [Details.](#)
- **February 9:** The GAO [issued](#) a request for letters of nomination and resumes for MedPAC. [Details.](#)
- **February 12:** The DOJ issued a [NRPM](#) under Title II of the Americans with Disabilities Act (ADA) to update regulations regarding the accessibility of medical diagnostic equipment. [Details.](#)
- **February 14:** The USDA FNS announced [two research-based funding opportunities](#) to develop a subgrant program related to the WIC Program. [Details.](#)
- **February 18:** The DOL released a [proposed rule](#) to completely rescind the Trump-era policy, "Definition of Employer – Association Health Plans," that expanded the definition of association health plans. [Details.](#)

- **April 2:** HRSA announced a [notice of funding opportunity](#) under the State Maternal Health Innovation program. [Details.](#)
- **March 6:** CMMI announced the [State Advancing AHEAD Model](#) to address unsustainable health care cost growth, poor population health, and disparities in health outcomes. [Details.](#)
- **March 15:** The USPSTF issued a [request for nominations](#) to serve as members of the Task Force. [Details.](#)