Impact Health Policy Weekly

Framing the Week

The House is in recess this week after both bodies passed another laddered continuing resolution (CR) keeping 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. The House passed the measure on a bipartisan vote of 314-108 with roughly half of House Republicans voting against it.   The bill included extensions on authorizations for many health care programs that expired last year and had been included in previous CRs, but it did not include a "doc-fix" to reverse the 3.37% cut to Medicare physician reimbursement that went into effect Jan. 1. Physician groups are hopeful that Congress will include funding for a retroactive fix in a health care package in March.

While both sides of Congress have agreed on the top line funding amounts, the 12 Appropriations Subcommittees have not yet received their allocations (also known as 302b's). Until the leadership of the House and Senate Appropriations Committees agree on Subcommittee allocations, Committees cannot get down to the hard work of finalizing their bills. Senate Appropriations Committee Chair Patty Murray (D-WA) has said they are "working around the clock" to finalize allocations.

Senate negotiators are working hard this week to finalize a deal on immigration reform that would be included in a foreign aid emergency supplemental package. A deal has not yet been reached between the bipartisan negotiators, and it would face some stiff resistance in the House, but Senate leaders are optimistic that a package will ultimately pass.

Meanwhile, last week the House Budget Committee passed legislation that would create a commission to study the country's fiscal issues, including possible changes to entitlement programs. House Budget Committee Chairman Jodey Arrington (R-TX) has stated his intention to try and fold the commission into the final budget deal. Several Democrats, however, have expressed concern about the bill. Senate Finance Committee Chairman Ron Wyden (D-OR) put out a statement on Friday opposing the bill and the Republican's attempts to "**gut Americans' Social Security and Medicare."**

2024 Presidential Election

This week New Hampshire will be the second state to choose the 2024 Republican nominee. On Tuesday Granite State voters will go to the polls where former President Trump is running ahead in the polls, but former South Carolina Governor Nikki Haley has been closing the gap in recent weeks. Over the weekend Florida Governor Ron DeSantis withdrew from the race, leaving only Governor Haley left to challenge former President Trump's bid to be the Republican nominee.

Regulatory Update

The Office of Management and Budget (OMB) is 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. (1/22)
- **9:30am – NIH Meeting: Alzheimer's Research –** The National Institutes of Health (NIH) holds a meeting of the Advisory Council on Alzheimer's Research, Care, and Services (Advisory Council) to discuss updates from the field on implementation of disease-modifying therapies for Alzheimer's disease and outstanding research questions. Details.

Tue. (1/23)

- **10:00am – HITAC Meeting: Interoperability Standards** – The Health Information Technology Advisory Committee (HITAC) holds a meeting of the Interoperability Standards Workgroup to discuss program updates. Details.
- **3:30pm – HHS Meeting: Maternal Health Priorities** – The Department of Health and Human Services (HHS) holds a briefing on maternal health priorities and activities for 2024. Key agency leaders will present HHS activities that advance equity in maternal health outcomes. Details.

Wed. (1/24)

- **9:00am – NIH Meeting: Stillbirth Research and Prevention** – The NIH holds a meeting of the Eunice Kennedy Shriver National Institute of Child Health and Human Development (NICHD) Stillbirth Working Group of Council to discuss current knowledge on stillbirth and prevention, areas of improvement for data collection, and next steps to gather data and lower the rate of stillbirth in the United States. Details.
- **1:00pm – AHP Discussion: 2024 Health Policy Forecasts** – The Alliance for Health Policy (AHP) holds a discussion on potential health policy priorities at both state and federal levels for this upcoming election year and provide a review of major legislative milestones from 2023. Details.

Thurs. (1/25)

- **10:00am – NIH Meeting: Nursing Research Institute Council Discussion** – The NIH holds a meeting of the holds a meeting of the National Institute of Nursing Research (NINR) for NINR director's report, concepts, council open discussion. Details.
- **10:00am – Hearing: Assisted Living Facilities Oversight** – The Senate Special Committee on Aging holds a hearing to examine assisted living facilities, focusing on understanding long-term care options for older adults. Details.
- **1:00pm – BPC Discussion: Remote Patient Monitoring** – The Bipartisan Policy Center (BPC) holds a discussion on remote patient monitoring and how policymakers can develop appropriate guardrails for these emerging technologies without stifling innovation. Details.
- **3:00pm – Urban Institute Discussion: Youth Well-Being** – The Urban Institute holds a discussion to present domains of youth well-being featured in the institute's latest report that urges the youth field — or people working with and doing research related to young people — to refine how it defines and measures these domains. 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. (1/26)

- **11:00am – BPC Discussion: Earned Income Tax Credit Opportunities for Improvement** – The BPC holds a discussion on what could be improved at the state and federal level regarding Earned Income Tax Credit (EITC) policies to build greater economic security for working families. 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.

Additional Multi-Day Events

- **Jan. 23-Jan. 24 – Duke/FDA Meeting: Preterm Birth Prevention Drugs –** Duke-Margolis, under a cooperative agreement with the Food and Drug Administration (FDA), hosts a public virtual workshop on Advancing Drug Development for the Prevention of Spontaneous Preterm Birth. The workshop will bring together a multidisciplinary group of experts and individuals with lived experience to generate ideas and discussion around the challenges in developing and studying products to prevent preterm birth. Details.
- **Jan. 25-Jan. 26 – CDC Meeting: Readiness/Response Science Overview –** The Centers For Disease Control and Prevention (CDC) holds a meeting of the Board of Scientific Counselors, Office of Readiness and Response for an organizational update, Division of Readiness and Response Science overview, division directors Updates, and discussion on growing science and science strategies. Details.

Featured Analysis

- **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

Thurs. (1/18)
- **The Senate HELP Committee** convened a hearing to discuss with patients, health care providers, and researchers the challenges of long COVID. Details.

Regulatory Lookback

Fri. (1/19)
- **The Biden Administration** launched a new program called Health care Rewards to Achieve Improved Outcomes (HEROES) through the ARPA-H. Letters of interest are due February 29. Details.
- **The FNS** announced an RFA for cooperative agreements to support the use of Indigenous foods in child nutrition programs. Details.
- **The GAO** released a report on product labels for prenatal supplements. Details.

Thurs. (1/18)

- **CMMI** announced the Behavioral Health Model, a new voluntary, value-based care model to increase access to high-quality integrated care for beneficiaries with substance use disorder and moderate to severe mental health conditions. Details.

Weds. (1/17)
- **CMS** released a final rule to advance interoperability and improve prior authorization. Details.

Comment & Application Deadlines

- **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.
- **February 29:** The Biden Administration launched a new program called Health care Rewards to Achieve Improved Outcomes (HEROES) through the ARPA-H. 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.