

Impact Health Policy Weekly

Framing the Week

The Senate was supposed to be on recess this week, however, they have been in session all weekend debating a foreign aid package. After Senate Republicans blocked the bipartisan package that included immigration reforms last week, Senate Majority Leader Chuck Schumer proceeded with a \$95 billion foreign aid-only bill that includes \$60 billion to support Ukraine in its fight against Russia, \$14.1 billion in security assistance for Israel, \$9.2 billion in humanitarian assistance and \$4.8 billion to support partners in the Indo-Pacific region. On Thursday the Senate voted 67-32 to consider the package, followed by debate and another procedural vote over the weekend. A final vote is expected on Wednesday.

The House will come back in session on Tuesday afternoon, when they will consider several non-controversial [votes](#) under suspension. If the Senate does pass the foreign aid supplemental, it is unclear how House Speaker Mike Johnson (R-LA) will proceed. Though he has indicated support for Ukrainian assistance, he faces strong opposition from many House Republicans and former President Donald Trump. Johnson tried to pass an Israel-only aid package last week, but the measure failed. This will be another challenge for the Speaker to manage in his very divided caucus.

Speaker Johnson is also expected to bring up H.Res. 863, articles of impeachment for Homeland Secretary Alejandro Mayorkas again this week. The Resolution failed in a tie-vote last week after 4 House Republicans voted against the measure, but with Majority Leader Steve Scalise back in town this week, Johnson may have the votes for passage, provided every other member is also in attendance.

Hearings

- **House Energy & Commerce Committee:** On Wednesday the House Energy and Commerce Health Subcommittee will hold a [hearing](#) to examine bipartisan policy proposals to improve the health and wellbeing of patients and support caregivers.
- **House Agriculture Committee:** Also on Wednesday the House Committee on Agriculture will hold a [hearing](#) to receive testimony from the U.S. Department of Agriculture Secretary Thomas Vilsack.
- **House Oversight Committee on Accountability:** On Wednesday the House Oversight and Accountability Select Subcommittee on the Coronavirus Pandemic holds a [hearing](#) to examine America's vaccine safety system.

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 (was set for December 2023).
- **Payment Update** – The [proposed rule](#) would revise the Medicare hospital inpatient and long-term care hospital prospective payment system (April 2024).

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 (February 2024).
- **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 (February 2024).
- **Access to Care** – A pair of final rule intended to access to care and quality outcomes for Medicaid and CHIP beneficiaries enrolled in [managed care delivery systems](#) and [fee-for-service Medicaid](#) (April 2024).

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 (was set for December 2023).

This Week in Health Policy

Tue. (2/13)

- **9:00am – Washington Post Discussion: Women’s Heart Health and Cardiovascular Care** – The Washington Post holds a discussion with the Centers for Disease Control and Prevention Director at the Division of Heart Disease and Stroke Prevention Janet Wright and other health experts about cardiovascular risk factors for women, the disproportionate impact on women of color and how lifestyle changes can improve heart health. [Details.](#)
- **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.](#)
- **10:00am – R Street Discussion: Methadone Access** – The R Street Institute holds a discussion with experts and people with lived experience with methadone to discuss the current state of access and its impacts, policy proposal to expand access, and the potential risks and reward of increased access. [Details.](#)
- **12:00pm – HITAC Meeting: Annual Report Workgroup** – HITAC holds a meeting of the Annual Report Workgroup to discuss program updates. [Details.](#)

Wed. (2/14)

- **8:30am – Briefing: Emerging Technologies in Cell and Gene Therapy** – The American Enterprise Institute for Public Policy Research holds a discussion with Rep. Brett Guthrie (R-KY), the Director of the Food and Drug Administration (FDA)'s Center for Biologics Evaluation and Research Peter Marks, and other experts on regulatory and payment challenges to getting new cell and gene therapies to patients. [Details.](#)
- **10:00am – NIH Meeting: Neurological Disorders/Stroke Research** – The National Institutes of Health (NIH) holds a meeting of the National Institute of Neurological Disorders and Stroke to discuss program updates. [Details.](#)
- **10:00am – Hearing: Support for Patients and Caregivers** – The House Energy and Commerce Health Subcommittee holds a hearing to examine bipartisan policy proposals to improve the health and wellbeing of patients and support caregivers. [Details.](#)
- **10:00am – Hearing: USDA** – The House Committee on Agriculture holds a hearing to receive testimony from the U.S. Department of Agriculture Secretary Thomas Vilsack. [Details.](#)
- **10:00am – Hearing: CBO's Budget and Economic Outlook** – The House Budget Committee holds a hearing to discuss with the Congressional Budget Office (CBO) Director Dr. Phillip Swagel CBO's budget and economic outlook for 2024-2034. [Details.](#)
- **12:30pm – National Press Club Discussion: Communication and Links to Health Outcomes** – The National Press Club holds a discussion as part of its Headliner series with FDA Commissioner Robert Califf on communication and its link to health outcomes. [Details.](#)

Thurs. (2/15)

- **10:00am – Hearing: America's Vaccine Safety Systems** – The House Oversight and Accountability Select Subcommittee on the Coronavirus Pandemic holds a hearing to examine America's vaccine safety system. [Details.](#)
- **1:00pm – U.S. News and World Report Discussion: Pediatric Gastroenterology and Hepatology** – The U.S. News and World Reports holds a discussion on new and innovative approaches with the potential to improve the outcome of children with common disorders like fatty liver and inflammatory bowel syndrome, and clinical care algorithms that facilitate the timely diagnosis of critical conditions, like biliary atresia and related disorders. [Details.](#)
- **2:00pm – Hearing: Immigration Enforcement** – The House Oversight and Accountability Subcommittee on National Security, the Border, and Foreign Affairs holds a hearing titled "The Consequences of Catch and Release at the Border." [Details.](#)

Additional Multi-Day Events

- **Feb. 12-Feb. 13 – HHS Meeting: Revised Race and Ethnicity Data Collection Standards** – HHS holds a meeting of the Advisory Committee on Minority Health (ACMH) to discuss opportunities for supporting community awareness of and engagement in future efforts to implement the revised race and ethnicity data collection standards, anticipated to be published by the Office of Management and Budget (OMB) no later than Summer 2024. [Details.](#)

Featured Analysis

- **Impact Roundup of January Behavioral Health Actions** – In the Policy Hub Insight Bank [here](#).
- **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. (2/8)

- **The Senate HELP Committee** convened a [hearing](#) to examine why the United States' prescription drug prices are much higher compared to international prices. [Details](#).
- **The Senate Finance Committee** convened a [hearing](#) to examine the integration of artificial intelligence (AI) into patient care and the necessary regulations. [Details](#).

Tues. (2/6)

- **The House W&M Committee** convened a [hearing](#) to examine drug shortages, supply chain resiliency, and the impact of shortages on providers. [Details](#).
- **The House Committee on Oversight and Accountability** convened a [markup](#) of [H.R. 6283](#), the Delinking Revenue from Unfair Gouging (DRUG) Act. [Details](#).

Mon. (2/5)

- **The Senate 340B Bipartisan Working Group** released a [discussion draft](#) for the SUSTAIN 340B Act. Feedback is due April 1. [Details](#).

Regulatory Lookback

Fri. (2/9)

- **AHRQ** issued an [RFI](#) regarding the usability, feasibility, and likely uptake of a measure of severe maternal morbidity (SMM). Comments due March 4. [Details](#).

Thurs. (2/8)

- **CMS** released a [proposed rule](#) to strengthen oversight of accrediting organizations (AOs) by addressing conflicts of interest, establishing consistent standards, and updating the validation and performance systems. Comments are due April 15. [Details](#).
- **HHS OCR and SAMHSA** released a [final rule](#) that would modify the Confidentiality of Substance Use Disorder (SUD) Patient Records under 42 CFR Part 2. [Details](#).

Weds. (2/7)

- **The USDA** sent a letter to 47 U.S. governors calling them to take action to improve the administration of the Supplemental Nutrition Assistance Program. [Details](#).
- **The FTC** announced the [updated jurisdictional thresholds and an updated fee schedule](#) for reporting transactions under the HSR Act. [Details](#).

Tues. (2/6)

- **HRSA** issued multiple [RFPs](#) to support the OPTN. [Details](#).

Mon. (2/5)

- **The CBO** released the [budget and economic outlook](#) for 2024 to 2034. [Details](#).
- **The Tri-Departments** released [Frequently Asked Questions](#) (FAQs) announcing enforcement discretion, on a case-by-case basis, for the new cost-sharing disclosure requirements. [Details](#).
- **HHS ONC and SAMHSA** launched a new [behavioral health IT initiative](#). [Details](#).

Comment & Application Deadlines

- **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](#).
- **March 1:** CMS released the [CY 2025 MA and Part D Advance Notice](#) and [Draft Part D Redesign Program Instructions](#). [Details](#).
- **March 4:** AHRQ issued an [RFI](#) regarding the usability, feasibility, and likely uptake of a measure of severe maternal morbidity (SMM). [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](#).
- **March 15:** The House Ed and Workforce Committee issued a [request for information \(RFI\)](#) to inform legislative reforms to employer-sponsored health care. [Details](#).
- **April 1:** The Senate 340B Bipartisan Working Group released a [discussion draft](#) for the SUSTAIN 340B Act. [Details](#).

- **April 2:** HRSA announced a [notice of funding opportunity](#) under the State Maternal Health Innovation program. [Details](#).
- **April 15:** CMS released a [proposed rule](#) to strengthen oversight of accrediting organizations (AOs) by addressing conflicts of interest, establishing consistent standards, and updating the validation and performance systems. [Details](#).