

Impact Health Policy Weekly

Framing the Week

The House and Senate return to Washington this week with just days to avert a March 1 shutdown for agencies funded under the Agriculture, Energy and Water, MilCon-VA and Transportation-HUD spending bills. The Senate comes back into session this afternoon, while the House will come back on Wednesday afternoon. The remainder of the federal government has until March 8 before the second continuing resolution (CR) expires. President Biden is expected to convene a meeting on Tuesday with the House and Senate leadership to urge them to pass both a final budget bill and the emergency package the Senate passed earlier this month that would provide \$95 billion in aid for Ukraine and Israel. While the emergency aid package passed the Senate with bipartisan support, House Speaker Mike Johnson (R-LA) has so far refused to bring the bill up for a vote in the House, though bipartisan group in the House has proposed a slimmer \$66 billion version.

While the appropriators have mostly finalized spending and programmatic decisions, outstanding controversial policy riders on abortion, immigration, gender affirming care and other hot button issues being pushed by the most conservative House Republicans are still an issue. On Sunday Senate Majority Leader Chuck Schumer (D-NY) sent a [letter](#) to his Senate colleagues stating that while he hoped legislative text would be available for review over the weekend, "it is clear now that House Republicans need more time to sort themselves out." Speaker Johnson indicated on Friday that another short-term CR may be necessary (the consensus seems to be an extension to March 22), but he faces pushback from his Freedom Caucus conservatives who are hoping to stop negotiating and pass a year-long CR that will trigger an automatic 1% across the board cut. Speaker Johnson remains limited by his razor thin 2-vote majority. Any path forward to avoid a shutdown will both require Democratic support and anger the conservative faction of his party putting his very tenuous leadership position at risk.

Hearings of Note

- **Senate Agriculture Committee:** On Wednesday the Senate Agriculture, Nutrition, and Forestry Committee will hold an oversight [hearing](#) to examine the Department of Agriculture (USDA). USDA Secretary Thomas Vilsack will be testifying.
- **Senate Budget Committee:** On Wednesday the Senate Budget Committee will hold a [hearing](#) titled ""No Rights to Speak of: The Economic Harms of Restricting Reproductive Freedom."
- **House Energy & Commerce Committee:** On Thursday the House Energy and Commerce Subcommittee on Health will hold a [hearing](#) to examine legislative proposals to support patients with rare diseases.

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 rules would make policy payment updates for [acute care hospitals inpatient and long-term care hospitals](#), and [hospice](#) (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 rules 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).

Commercial Insurance

- **ACA Marketplace** – The [final rule](#) would make changes to regulations governing Affordable Care Act (ACA) Marketplace plans, insurance standards, and the risk adjustment program for plan year 2025 (not specified but likely April 2024).
- **Short-Term Plans** – The [final rule](#) would modify the definition of short-term, limited duration insurance (STLDI) to limit the initial contract to no more than three months and the maximum coverage period to no more than four months, including renewals and extension (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

Mon. (2/26)

- **1:30pm – Aspen Digital Discussion: NIST Cybersecurity Framework 2.0** – Aspen Digital holds a discussion with the National Institute of Standards and Technology (NIST) Director Laurie Locascio on the launch of the Cybersecurity Framework (CSF) Version 2.0, which will launch on Feb. 26, including next steps for the CSF and its impact on cybersecurity. [Details.](#)

Tue. (2/27)

- **8:00am – SAMHSA Meeting: Tribal Substance Abuse** – The Substance Abuse and Mental Health Services Administration (SAMHSA) holds a meeting of the Tribal Technical Advisory Committee to exchange information about public health issues, identify urgent mental health and substance use needs and discuss collaborative approaches to addressing these behavioral health issues. [Details.](#)
- **9:00am – SAMHSA Meeting: Housing and Homelessness** – SAMHSA holds a meeting of the Center for Substance Abuse Treatment for a discussion with SAMHSA leadership on housing and homelessness. [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.](#)
- **11:45am – HHS Meeting: Asian American/Hawaiians/Islanders Health Equity** – The Department of Health and Human Services (HHS) holds a meeting of the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders to discuss recommendations by the Commission's six subcommittees on ways to advance equity, justice, and opportunity for Asian American, Native Hawaiian, and Pacific Islander communities. [Details.](#)
- **1:00pm – R Street Discussion: Smoking Cessation** – The R Street Institute holds a discussion to examine pathways to smoking cessation through reduced-risk products (RRPs) such as electronic nicotine delivery systems and heated tobacco products. [Details.](#)

Wed. (2/28)

- **10:00am – Hearing: Reproductive Health Care and Economic Harms** – The Senate Budget Committee holds a hearing to examine the economic harms of restricting reproductive freedom. [Details.](#)
- **12:00pm – RAND Discussion: Opioid Crisis** – The RAND Corporation holds a discussion on alternative policy approaches that can help reduce opioid addiction, overdose deaths, and other harms. [Details.](#)
- **2:00pm – BPC Discussion: Homelessness** – The Bipartisan Policy Center (BPC) holds a discussion with mayors and homelessness policy experts on the scale of the homelessness problem nationwide, share insights into innovative policy approaches, and discuss how the federal government can be an effective partner to cities working to prevent and end homelessness. [Details.](#)
- **Time to be announced – Hearing: USDA Oversight** – The Senate Agriculture, Nutrition, and Forestry Committee holds an oversight hearing to examine the Department of Agriculture (USDA). USDA Secretary Thomas Vilsack will be testifying. [Details.](#)
- **6:30pm – AXIOS Discussion: AI Guidelines** – Axios holds a discussion with Sens. Mike Rounds (R-SD) and Cory Booker (D-NJ) to examine the government's role on the path forward in developing transparent artificial intelligence (AI) guidelines. [Details.](#)

Thurs. (2/29)

- **9:30am – Punchbowl News Discussion: AI Policy** – Punchbowl News holds a discussion with Sens. Todd Young (R-IN) and Mark Warner (D-VA) to examine bipartisan AI policy proposals. [Details.](#)
- **10:00am – SAMHSA Meeting: Substance Abuse/Suicide Prevention** – SAMHSA holds a meeting of the National Advisory Council to discuss recovery oriented systems of care and the release of the National Strategy for Suicide Prevention. [Details.](#)
- **10:00am – Hearing: Rare Diseases** – The House Energy and Commerce Subcommittee on Health holds a hearing to examine legislative proposals to support patients with rare diseases. [Details.](#)
- **2:00pm – Washington Post Discussion: Rare Diseases Research** – The Washington Post holds a discussion on the ongoing challenges around rare diseases research. Food and Drug Administration (FDA) Commissioner Robert Califf will be participating. [Details.](#)
- **2:00pm – CMS Meeting: Innovation in Behavioral Health Model Overview** – The Centers for Medicare and Medicaid Services (CMS) holds an overview webinar on the newly announced Innovation in Behavioral Health (IBH) Model to provide details about IBH’s goals, eligibility, participant types, care delivery framework, and payment structure, among other details. [Details.](#)

Additional Multi-Day Events

- **Feb. 28-Feb. 29 – CDC Meeting: Immunization Practices** – The Centers for Disease Control and Prevention (CDC) holds a meeting of the Advisory Committee on Immunization Practices (ACIP) to discuss vaccines for influenza, chikungunya, COVID-19, Human papillomavirus (HPV), and respiratory syncytial virus (RSV) among others. A Vaccines for Children (VFC) vote is scheduled for vaccines to prevent diphtheria, tetanus, and pertussis. [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

Fri (2/23)

- **HHS OCCHE** held a [presentation](#) to discuss the Office’s Catalytic Program on Utilizing the Inflation Reduction Act (IRA). [Details.](#)

Weds. (2/21)

- **Sen. Cassidy (R-LA)** released a [comprehensive report](#) outlining proposals aimed at enhancing privacy protections for health data. [Details.](#)

Regulatory Lookback

Thurs. (2/22)

- **SAMHSA announced** \$5,400,000 for states and territories under the Provider's Clinical Support System grant program. Applications are due April 15. [Details.](#)
- **SAMHSA announced** \$9,995,000 for the Screening, Brief Intervention, and Referral to Treatment (SBIRT) grant program. Applications are due April 12. [Details.](#)
- **HRSA announced** \$8,750,000 for the Behavioral Health Integration (BHI) Evidence Based Telehealth Network Program (EB-TNP) grant program. Applications are due March 22. [Details.](#)
- **SAMHSA announced** the allocation of four grants totaling \$5.1 million for Family Counseling and Support aimed at Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersex+ (LGBTQI+) Youth and their Families. [Details.](#)
- **The GAO** released a [report](#) investigating the effects of the COVID-19 pandemic on maternal health outcomes in the United States and evaluating the efficacy of federal measures in addressing maternal health disparities. [Details.](#)

Weds. (2/21)

- **HHS OIG** released an [audit](#) of Evaluation and Management (E/M) services provided via telehealth during the first 9 months of the COVID-19 public health emergency (PHE). [Details.](#)

Tues. (2/20)

- **CMS** issued a [final rule](#) to implement requirements under section 203 of the CAA of 2021, which relate to DSH Medicaid shortfall and third-party payments. [Details.](#)
- **HHS** announced the launch of the Secretary's [Postpartum Maternal Health Collaborative](#). [Details.](#)
- **The NIH**, through the Office of AIDS Research, issued an [RFI](#) to solicit input for the development of the FY 2026–2030 NIH Strategic Plan for HIV and HIV-Related Research. Comments are due March 28. [Details.](#)

Comment & Application Deadlines

- **February 28:** The USPSTF released a draft research plan on screening and behavioral counseling interventions for unhealthy alcohol use in adolescents and adults. [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](#).
- **March 16:** CMS issued [draft part two guidance](#) on select topics of the Medicare Prescription Payment Plan. [Details](#).
- **March 22:** HRSA [announced](#) \$8,750,000 for the Behavioral Health Integration (BHI) Evidence Based Telehealth Network Program (EB-TNP) grant program. [Details](#).
- **March 28:** The NIH, through the Office of AIDS Research, issued an [RFI](#) to solicit input for the development of the FY 2026–2030 NIH Strategic Plan for HIV and HIV-Related Research. [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 12:** SAMHSA [announced](#) \$9,995,000 for the Screening, Brief Intervention, and Referral to Treatment (SBIRT) grant 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](#).
- **April 15:** SAMHSA [announced](#) \$5,400,000 for states and territories under the Provider’s Clinical Support System grant program. [Details](#).
- **April 15:** The FTC and HHS issued an [RFI](#) regarding market concentration among large health care group purchasing organizations (GPOs) and drug wholesalers. [Details](#).