

## Impact Health Policy Weekly

### Framing the Week

Both the House and Senate are in Congress this week as the House will focus will be on demonstrating support for Israel following this weekend's Iranian led attack and the Senate will deal with the articles of impeachment against Secretary of Homeland Security Alexander Mayorkas. The House will take up 12 bills under suspension of the rules (requiring a two thirds majority vote for passage) and six bills under terms to be set by the House Rules Committee, which would require a simple majority for passage. These bills include measures to make permanent sanctions on Iran that are scheduled to expire at the end of 2026, extend sanctions on members of Hamas and Hezbollah who use civilians as human shields, impose sanctions on Chinese financial institutions that purchase petroleum products from Iran, as well as a bill to impose sanctions on the Houthis in Yemen. Still undetermined is if Speaker Johnson will bring up the Senate passed foreign aid supplemental that includes funds for Israel, Ukraine, and Taiwan, or if he will bring up an Israel-only funding package. The White House, Senate leadership from both parties, and Democratic leadership in the House have all been pressuring the Speaker to pass the \$95 billion Senate package, but he has been hamstrung with the threat from a small group of conservative members led by Marjorie Taylor Green (R-GA) that they will proceed with a motion to vacate his position if he moves forward on aid to Ukraine.

On the Committee front, there will be multiple health focused hearings this week, including a hearing focused on the Change Healthcare cyberattack, improper Medicare and Medicaid funding, Food is Medicine opportunities, and HHS Secretary Xavier Becerra will appear before two Congressional Committees in support of the Administration's FY 2025 budget request.

### Hearings

#### House Energy and Commerce Committee:

On Tuesday the **House Energy and Commerce Subcommittee on Health** will hold a [hearing](#) to hear from industry experts from across the health care system on what more needs to be done to secure patients' sensitive health information and protect the health care sector from disruption following the Change Healthcare cyberattack.

Also on Tuesday the **House Energy and Commerce Subcommittee on Oversight and Investigation** will hold a [hearing](#) to discuss the impacts of improper payments in the Medicare and Medicaid programs.

On Wednesday, the House Energy and Commerce Subcommittee on Innovation, Data, and Commerce will hold a [hearing](#) to discuss legislative solutions to protect kids online and ensure Americans' data privacy rights. Bills up for discussion include the recently announced American Privacy Rights Act and a bill to require impact assessments of automated decision systems.

On Thursday the **House Energy and Commerce Subcommittee on Health** will hold a [hearing](#) to examine the President's proposed budget request for fiscal year (FY) 2025 for the Department of Health and Human Services (HHS) with the HHS Secretary Xavier Becerra. [Details](#).

**House Education and the Workforce Committee:**

On Tuesday the House Education and the Workforce Subcommittee on Health, Employment, Labor, and Pensions will hold a [hearing](#) to examine the Employee Retirement Income Security Act of 1974 (ERISA) 50<sup>th</sup> anniversary and opportunities to provide higher quality, lower cost health care.

**Senate Appropriations Committee:**

On Tuesday the Senate Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies will hold a [hearing](#) to examine the President's proposed budget request for fiscal year (FY) 2025 for the Department of Health and Human Services (HHS) with the HHS Secretary Xavier Becerra.

**Senate Aging Committee:**

On Tuesday the Senate Special Committee on Aging will hold a [hearing](#) to examine the long-term care workforce, focusing on addressing shortages and improving the profession.

**Senate HELP Committee:**

On Thursday the Senate Health, Education, Labor, and Pensions Subcommittee on Primary Health and Retirement Security will hold a [hearing](#) to examine feeding a healthier America, focusing on current efforts and potential opportunities for Food is Medicine.

**Regulatory Update**

The Office of Management and Budget (OMB) completed reviewing a **final rule intended** to improve access to care and quality outcomes for Medicaid and CHIP beneficiaries enrolled in [managed care delivery systems](#).

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 (was set for December 2023).
- **Nursing Homes** – The [final rule](#) would establish minimum staffing standards for long-term care facilities and establish Medicaid institutional payment transparency reporting requirements (September 2026).

### 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).
- **Access to Care** – A final rule intended to improve access to care and quality outcomes for Medicaid and CHIP beneficiaries enrolled in [fee-for-service Medicaid](#) (April 2024).
- **Drug Rebate Program** – The [final rule](#) would establish requirements related to manufacturers' misclassification of covered outpatient drug products under the Medicaid Drug Rebate Program (MDRP). In addition, it finalizes beneficiary protections, as well as MDRP program integrity and administration changes (June 2024).

### Commercial Insurance

- **Association Health Plans** – The [final rule](#) would make changes the definition of employer under ERISA-Association Health Plans (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).
- **Reproductive Health Care Privacy** – The [final rule](#) would modify the HIPAA Privacy Rule to support reproductive health care privacy (March 2024).
- **Health IT** – The [proposed rule](#) would advance interoperability through proposals for: standards adoption; public health IT certification; expanded uses of certified application programming interfaces (APIs), such as for electronic prior authorization, patient engagement, care management, and care coordination; and information sharing under the information blocking regulations (was set for November 2023).
- **Disability** – The [final rule](#) would revise regulations under section 504 of the Rehabilitation Act of 1973 to address discrimination on the basis of disability in HHS-funded programs and activities (April 2024).

### This Week in Health Policy

#### Mon. (4/15)

- **12:00pm – Urban Institute Discussion: Health Inequities in the US** – The Urban Institute holds a discussion on promising solutions that decisionmakers, practitioners, and advocates can use to create a more equitable US health system—and to address ongoing challenges to eliminating inequities. [Details.](#)

**Tue. (4/16)**

- **10:00am – Hearing: Long-Term Care Workforce** – The Senate Special Committee on Aging holds a hearing to examine the long-term care workforce, focusing on addressing shortages and improving the profession. [Details.](#)
- **10:00am – Hearing: President’s HHS Budget Request for FY 2025** – The Senate Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies holds a hearing to examine the President’s proposed budget request for fiscal year (FY) 2025 for the Department of Health and Human Services (HHS) with the HHS Secretary Xavier Becerra. [Details.](#)
- **10:00am – Hearing: President’s USDA Budget Request for FY 2025** – The Senate Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies holds a hearing to examine the President’s proposed budget request for fiscal year (FY) 2025 for the Department of Agriculture (USDA) with USDA Secretary Tom Vilsack. [Details.](#)
- **10:00am – Hearing: Health Sector Cybersecurity** – The House Energy and Commerce Subcommittee on Health holds a hearing to hear from industry experts from across the health care system on what more needs to be done to secure patients’ sensitive health information and protect the health care sector from disruption following the Change Healthcare cyberattack. [Details.](#)
- **10:15am – Hearing: Employer-Sponsored Health Care** – The House Education and the Workforce Subcommittee on Health, Employment, Labor, and Pensions holds a hearing to examine the Employee Retirement Income Security Act of 1974 (ERISA) 50<sup>th</sup> anniversary and opportunities to provide higher quality, lower cost health care. [Details.](#)
- **10:30am – Hearing: Improper Payments in Medicare and Medicaid** – The House Energy and Commerce Subcommittee on Oversight and Investigation holds a hearing to discuss the impacts of improper payments in the Medicare and Medicaid programs. [Details.](#)

**Wed. (4/17)**

- **10:00am – Hearing: Data Privacy Rights and Algorithm Accountability** – The House Energy and Commerce Subcommittee on Innovation, Data, and Commerce holds a hearing to discuss legislative solutions to protect kids online and ensure Americans’ data privacy rights. Bills up for discussion include the recently announced American Privacy Rights Act and a bill to require impact assessments of automated decision systems. [Details.](#)
- **11:00am – SAMHSA Meeting: Women’s Mental Health and Substance Use Needs** – The Substance Abuse and Mental Health Services Administration (SAMHSA) holds a meeting of the Advisory Committee for Women’s Services (ACWS) to discuss SAMHSA’s current strategies, including the mental health and substance use needs of the women and girls population, and strategic initiatives and policy recommendations regarding Maternal Behavioral Health. [Details.](#)
- **1:30pm – CAP Discussion: Emergency Abortion Care** – The Center for American Progress (CAP) holds a discussion on how the criminalization of abortion care, the future of the Emergency Medical Treatment and Labor Act (EMTALA), and the interference of the U.S. Supreme Court in physician medical practice has impacted medical providers. House Minority Leader Rep Ilana Rubel (D-ID) will participate. [Details.](#)

- **2:00pm – Hearing: President’s HHS Budget Request for FY 2025** – The House Energy and Commerce Subcommittee on Health holds a hearing to examine the President’s proposed budget request for fiscal year (FY) 2025 for the Department of Health and Human Services (HHS) with the HHS Secretary Xavier Becerra. [Details.](#)
- **2:30pm – Hearing: Food is Medicine Opportunities** – The Senate Health, Education, Labor, and Pensions Subcommittee on Primary Health and Retirement Security holds a hearing to examine feeding a healthier America, focusing on current efforts and potential opportunities for Food is Medicine. [Details.](#)
- **3:00pm – BPC Discussion: Congressional Budget Act** – The Bipartisan Policy Center (BPC) holds a discussion to examine with several past and current members of Congress the Congressional Budget and Impoundment Control Act’s (CBA) successes and failures, and potential next steps policymakers could pursue. [Details.](#)

#### **Thurs. (4/18)**

- **9:00am – HHS Meeting: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity** – The Department of Health and Human Services (HHS) holds a meeting of the Advisory Committee on Minority Health (ACMH) to discuss recommendations on how the Office of Minority Health (OMH) and HHS can support community awareness, education and engagement on HHS efforts to implement revised Office of Management and Budget (OMB) Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15). [Details.](#)
- **9:00am – Hearing: President’s FDA Budget Request for FY 2025** – The House Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration holds a hearing to examine the President’s proposed budget request for fiscal year (FY) 2025 for the Food and Drug Administration (FDA) with FDA Commissioner Robert Califf. [Details.](#)
- **12:00pm – HHS Meeting: Catalytic Program on Utilizing the IRA** – HHS holds a meeting as part of a “catalytic program” to support health care providers and safety net organizations in taking advantage of the tax credits, grants and other supports made available by the Inflation Reduction Act (IRA). This session will focus on wrapping up the discussion and highlighting potential next steps. [Details.](#)
- **1:00pm – CAP Discussion: Marketplace Cost Sharing and Out-of-Pocket Costs** – CAP holds a discussion with state officials and advocates on policies to improve out-of-pocket cost affordability for Americans with ACA marketplace coverage. [Details.](#)

#### **Fri. (4/19)**

- **10:00am – HRSA Meeting: Health Care Workforce Development** – The Health Resources and Services Administration (HRSA) holds a meeting of the Advisory Committee on Interdisciplinary, Community-Based Linkages for policy and program development and other significant matters related to activities authorized under Part D of the Public Health Service Act, including on finalizing recommendations for the committee’s report pertaining Artificial Intelligence and its impact on future health care workforce development. [Details.](#)

#### **Additional Multi-Day Events**

- **Apr. 17-Apr. 18 – CDC Meeting: Community Preventive Services** – The Centers for Disease Control and Prevention (CDC) holds a meeting of the Community Preventive Services Task Force on substance use, public health emergency preparedness and response, oral health and social determinants of health. [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. (4/12)

- **MedPAC** held day two of its [April 2024 public meeting](#) and held sessions on generic drug pricing under Part D and the 340B program and Part B drug payments. All Impact session summaries are available in Policy Hub [here](#).
- **MACPAC** convened virtually for day two of its [April 2024 public meeting](#) and held sessions to vote on recommendations for the June Report to Congress and lessons learned from Medicaid unwinding. All Impact session summaries are available on Policy Hub [here](#).

##### Thurs. (4/11)

- **The SFC** convened a [hearing](#) to begin discussions on a potential overhaul of the Medicare physician payment system. [Details](#).
- **MedPAC** held day one of its [April 2024 public meeting](#) and held sessions on telehealth in Medicare, IRF payments, the physician fee schedule, and MA data. All Impact session summaries are available in Policy Hub [here](#).
- **MACPAC** convened virtually for day one of its [April 2024 public meeting](#) and held sessions Medicaid demographic data collection, improving financing, state Medicaid agency contracts, HCBSS, and hospital supplemental payments. All Impact session summaries are available on Policy Hub [here](#).

##### Weds. (4/10)

- **The House E&C Health Subcommittee** convened a [hearing](#) to discuss legislation to support patient access to telehealth services. [Details](#).

**Mon. (4/8)**

- **The House and Senate Commerce Chairs** unveiled the [American Privacy Rights Act \(APRA\)](#), a draft federal privacy legislation aimed at establishing national data privacy rights. [Details.](#)

Regulatory Lookback

**Weds. (4/10)**

- **CMS** released the FY 2025 IPPS and LTCH PPS [proposed rule](#). Comments are due June 10. [Details.](#)

**Tues. (4/9)**

- **The FNS** [released](#) a final rule with revisions to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) food packages to align with the *Dietary Guidelines for Americans*. [Details.](#)
- **HRSA** released [findings](#) from the National Sample Survey of Registered Nurses (NSSRN) and hosted a roundtable with leaders from more than 25 nursing and health care organizations to discuss the future of the nursing workforce. [Details.](#)
- **HRSA** has [taken steps](#) to fortify the primary care workforce by increasing loan repayments through the National Health Service Corps (NHSC) Loan Repayment Program. [Details.](#)

Comment & Application Deadlines

- **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.](#)
- **April 19:** The DOJ issued an [advance notice of proposed rulemaking](#) in response to the Executive Order of February 28, 2024, titled "Preventing Access to Americans' Bulk Sensitive Personal Data and United States Government-Related Data by Countries of Concern." [Details.](#)
- **April 29:** CMS issued [final part one guidance](#) on a select set of topics for the Medicare Prescription Payment Plan and an [ICR](#) for model materials. [Details.](#)
- **May 1:** CMMI released the manufacturer [request for applications \(RFA\)](#) for the [Cell and Gene Therapy Access Model](#). Applications are due May 1. [Details.](#)
- **May 6:** The FTC, DOJ, and HHS jointly issued a [request for information \(RFI\)](#) to inform the agencies' identification of enforcement priorities and future actions, including new regulations,

aimed at promoting competition in health care markets and ensuring appropriate access to quality, affordable health care items and services. [Details.](#)

- **May 27:** CMS released the FY 2025 IRF PPS [proposed rule](#). [Details.](#)
- **May 28:** CMS released the FY 2025 SNF PPS [proposed rule](#). [Details.](#)
- **May 28:** CMS released the FY 2025 Hospice payment rate update proposed rule. [Details.](#)
- **May 28:** CMS released the FY 2025 IPF PPS proposed rule. [Details.](#)
- **May 28:** ONC published the draft 2024-2030 Federal Health IT [Strategic Plan](#). [Details.](#)
- **May 29:** HRSA [announced](#) the opportunity to apply for base and matching funds under the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program. [Details.](#)
- **June 15:** HRSA [announced](#) the availability of funding under the Maternal and Child Health Services Block Grant program. [Details.](#)
- **June 17:** CMMI [announced](#) ([model website](#)) a new voluntary model to test how prospective payments and increased funding for primary care in accountable care organizations (ACOs) impact health outcomes, quality, and costs of care. [Details.](#)
- **June 3:** CISA issued an [NPRM](#) outlining regulations concerning cyber incident reporting and ransom payment reporting, aiming to bolster the nation's cybersecurity posture. [Details.](#)
- **June 10:** CMS released the FY 2025 IPPS and LTCH PPS proposed rule. [Details.](#)