

Impact Health Policy Weekly

Framing the Week

The House and Senate are both in recess this week setting up a quiet holiday week on Capitol Hill. The break comes after a week full of healthcare and nutrition related hearings and markups last week, including House Agriculture Committee passage of a largely partisan [Farm bill](#); the Senate HELP Committee passage of [7 bipartisan bills](#) to reauthorize emergency services for children, Poison Control Centers, dementia infrastructure, respite care and protect healthcare providers; a positive Senate HELP Committee [discussion](#) on Food is Medicine; House Budget Committee [hearing](#) on Consolidation in Health Care Markets, PBM Reform, Rising Costs, and Medicare Physician Fees; and Senate Finance Committee [hearing](#) on policies to combat Fentanyl, as well as a discussion on the benefits of Telehealth for Behavioral Health Services. Additionally last Friday, Senate Finance Committee Chairman Ron Wyden (D-OR) put out a bipartisan [proposal](#) to enhance and expand the Medicare Graduate Medical Education (GME) program to address physician workforce shortages across the country, primarily related to primary care and psychiatry, and to improve the distribution of physicians to rural and underserved communities. Committees will continue to work over the summer to lay the groundwork for a possible healthcare package in the lame duck session following the election. There is not likely to be a lot of floor action on healthcare related legislation before the election, apart from appropriations bills and the Senate's plans to bring up a couple bills focused on women's reproductive health in June.

The Office of Management and Budget (OMB) is currently reviewing the following rules:

Medicare

- **Calendar Year (CY) Payment Updates:** The CY 2025 revisions to the Medicare Physician Fee Schedule [proposed rule](#), the CY 2025 Hospital Outpatient PPS Policy Changes and Payment Rates and Ambulatory Surgical Center Payment System Policy Changes and Payment Rates [proposed rule](#), the CY 2025 Changes to the End-Stage Renal Disease (ESRD) Prospective Payment System and Quality Incentive Program [proposed rule](#) (June 2024), and the CY 2025 Home Health PPS Rate Update [proposed rule](#) (June 2024).

Medicaid

- **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).

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).
- **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).

This Week in Health Policy

Mon. (5/27)

- **Holiday – Memorial Day**

Tue. (5/28)

- **1:00pm – BPC Discussion: AI and Social Media/Cybersecurity** – The Bipartisan Policy Center (BPC) holds a discussion on the impacts AI has on our digital ecosystem, including social media feeds and cybersecurity practices. Discussion will also focus on what federal policy options are being proposed to increase knowledge of AI uses. [Details.](#)
- **2:00pm – HHS Discussion: Mental Health/Physical Activity** – The Department of Health and Human Services (HHS) and President's Council on Sports, Fitness and Nutrition, hold a discussion on challenges and opportunities to improve the mental health and well-being of Americans through physical activity with Assistant HHS Secretary for Health Rachel Levine. [Details.](#)

Wed. (5/29)

- **12:00pm – NIH Meeting: National Arthritis and Musculoskeletal and Skin Diseases Advisory Council** – The National Institutes of Health (NIH) National Institute of Arthritis and Musculoskeletal and Skin Diseases holds a meeting of the Advisory Council to discuss program updates. [Details.](#)

Thurs. (5/30)

- **12:00pm – NIH Meeting: Artificial Intelligence in Diabetes Medicine** – The NIH holds a meeting of the Diabetes Mellitus Interagency Coordinating Committee to discuss Artificial Intelligence in diabetes precision medicine, focusing on real world data and challenges. [Details.](#)

Additional Multi-Day Events

- **May 28-May 30 – CMS Meeting: Healthcare Common Procedure Coding System Revisions** – The Centers For Medicare and Medicaid Services (CMS) holds a meeting for new revisions to the Healthcare Common Procedure Coding System to discuss CMS' preliminary coding, Medicare

benefit category, and payment determinations, if applicable, for new revisions to the HCPCS Level II code set for non-drug and non-biological items and services. [Details.](#)

- **May 29-May 30 – HHS Meeting: 2025 Dietary Guidelines** – HHS and the Department of Agriculture (USDA) hold a meeting of the 2025 Dietary Guidelines Advisory Committee to discuss subcommittee updates, including presentations by each subcommittee and deliberation by the full Committee regarding progress made since the fourth public meeting, including protocol development, evidence review and synthesis, draft conclusion statements, and plans for future Committee work regarding the 2025 Dietary Guidelines. [Details.](#)
- **May 29-May 31 – NIH Meeting: Aging** – The NIH National Institute on Aging holds a meeting of the Board of Scientific Counselors to discuss programs and policies including updates on Alzheimer’s disease and neurocognitive aging. [Details.](#)
- **May 30-May 31 – NIH Meeting: Mental Health** – The NIH National Institute of Mental Health holds a meeting of the Advisory Council to hear the Director’s report and program updates. [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. (5/23)

- **The SFC** convened a [hearing](#) to discuss opportunities in the health care system to improve addiction treatment, grow primary prevention, and combat the fentanyl public health crisis. [Details.](#)
- **The Senate HELP Committee** convened a [markup](#) of seven bills and one nomination. [Details.](#)
- **The House Budget Committee** convened a [hearing](#) to discuss the budgetary effects of increasing health care consolidation and explored policy solutions to enhance competition and reduce health care costs. [Details.](#)
- **The House Agriculture Committee** convened a [markup](#) of the Farm, Food, and National Security Act ([H.R. 8467](#)). [Details.](#)

Weds. (5/22)

- The Senate HELP Subcommittee on Primary Health and Retirement Security [convened](#) a hearing to discuss food is medicine initiatives. [Details.](#)

Regulatory Lookback

Fri. (5/24)

- EBSA released [2024 resources](#) for the attestation of compliance with the prohibition on gag clauses on price and quality information in provider agreements. [Details.](#)
- HHS OIG conducted a [review](#) to address concerns regarding the consistency and accuracy of data on pharmacy reimbursement within Medicaid managed care programs. [Details.](#)

Thurs. (5/23)

- The FTC and DOJ Antitrust Division jointly issued a [request for information](#) to help identify sectors of the economy that are being impacted by serial acquisitions and roll-up strategies, leading to consolidation and harming competition. Comments are due July 22. [Details.](#)

Weds. (5/22)

- The FNS announced the launch of [SUN Programs: USDA's Summer Nutrition Programs for Kids](#) to address nutrition security during the summer months. [Details.](#)

Tues. (5/21)

- The FNS [announced](#) \$26 million in new [grants](#) to support nutritious school meals. [Details.](#)
- CMS launched a new [online form](#) for individuals to file an EMTALA complaint about a possible violation by a hospital emergency department. [Details.](#)
- AHRQ EPC issued a [request for supplemental evidence](#) and data submissions to inform its review on Management of Suicidal Thoughts and Behaviors in Youth. Submissions are due June 3. [Details.](#)
- HHS OIG released an [audit](#) focusing on California's Medicaid program, [Medi-Cal](#), to assess its adherence to federal regulations regarding reimbursement for noncitizens with unsatisfactory immigration status. [Details.](#)

Mon. (5/20)

- HHS ONC announced a [Special Emphasis Notice \(SEN\)](#) for the Leading Edge Acceleration Projects (LEAP) in Health Information Technology funding opportunity. [Details.](#)

Comment & Application Deadlines

- **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 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 3:** AHRQ EPC issued a [request for supplemental evidence](#) and data submissions to inform its review on Management of Suicidal Thoughts and Behaviors in Youth. [Details](#).
- **June 6:** SFC Chair Wyden (D-OR) and Ranking Member Crapo (R-ID) unveiled a [draft legislative proposal](#) aimed at tackling the persistent issue of prescription drug shortages in the United States. [Details](#).
- **June 7:** The CDC is [seeking nominations](#) for membership on the Advisory Committee to the Director. [Details](#).
- **June 10:** CMS released the FY 2025 IPPS and LTCH PPS proposed rule. [Details](#).
- **June 10:** HUD released a [proposed rule](#) entitled, “Reducing Barriers to HUD-Assisted Housing.” [Details](#).
- **June 10:** HHS ONC [released](#) its Health Equity By Design (HEBD) white paper discussion draft for public comment. [Details](#).
- **June 15:** HRSA [announced](#) the availability of funding under the Maternal and Child Health Services Block Grant program. [Details](#).
- **July 16:** CMMI announced the [Increasing Organ Transplant Access \(IOTA\) Model](#). [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 18:** FNS announced the [SNAP Process and Technology Improvement Grants \(PTIG\) Program](#). [Details](#).
- **June 21:** The CDC [announced](#) the 2024 Racial and Ethnic Approaches to Community Health (REACH) Lark Galloway-Gilliam for Advancing Health Equity Award Challenge. Applications are due June 21. [Details](#).
- **June 24:** FNS announced the [SNAP Fraud Framework Implementation Grant \(FFIG\)](#). [Details](#).
- **September 30:** The CDC is [seeking nominations](#) for membership on the Healthcare Infection Control Practices Advisory Committee (HICPAC). [Details](#).