

## Impact Health Policy Weekly

### Framing the Week

The House is in session today and the Senate will return tomorrow. The House has [scheduled](#) a number of bills to be voted on under suspension, however the main event this week in the House is the expectation that Rep. Marjorie Taylor Greene (R-GA) will trigger her motion to vacate House Speaker Mike Johnson (R-LA). The timing isn't certain, but she has indicated she will make her move this week. Last week Democratic leader Hakeem Jeffries (D-NY) put out a statement stating that Democratic leadership would support a motion to table the resolution and avoid a vote altogether. Additionally, the House Freedom Caucus, and many other conservative members have indicated they do not support vacating the Speaker, so the motion to vacate is expected to fail without too much political drama.

The Senate is expected to spend most of the week continuing to try and pass the FAA reauthorization bill that expires on Friday. With at least 70 amendments pending once the bill does pass it will likely need to go back to the House to be passed again as amended by the Senate.

### Hearings:

**Senate Budget Committee:** On Wednesday the Senate Budget Committee will have a [hearing](#) titled "Alleviating Health Care Administrative Burdens" to examine alleviating administrative burdens in health care, focusing on reducing paperwork and cutting costs.

**Senate Appropriations Committee:** Also on Wednesday, the Senate Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies will [hold](#) 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.

### HHS OIG Highlight

The HHS OIG [reviewed](#) Medicaid enrollees' screening for Intimate Partner Violence (IPV) by primary care clinicians. Despite recommendations, many Medicaid enrollees may not be screened due to challenges like time constraints, privacy concerns, and insufficient training. Clinicians also face obstacles in making referrals due to limited IPV support resources. The study highlights the need for reimbursement changes, better patient resources, and enhanced clinician training to improve IPV screening and referral services for Medicaid enrollees.

### Regulatory Update

The Office of Management and Budget (OMB) recently completed the review of a [proposed rule](#) that would implement a new Medicare payment model titled, Increasing Organ Transplant Access (IOTA) Model. OMB is also 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

- **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).
- **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. (5/6)

- **8:30am – NIH Workshop: Maternal Health** – The National Institutes of Health (NIH) holds a workshop hosted by the Eunice Kennedy Shriver National Institute of Child Health and Human Development to bring together leading experts, professionals, and stakeholders to address areas of unmet need and gaps in maternal health research and the barriers that have prevented those gaps from being addressed. [Details.](#)

- **11:00am – AEI Discussion: Artificial Intelligence and Biosecurity** – The American Enterprise Institute (AEI) holds a discussion with Rep. Brad Wenstrup (R-OH) on how policymakers can combat the threats posed by evolving technologies in artificial intelligence (AI) and the ways Congress could secure the AI and biotechnology fields. [Details.](#)

#### Tue. (5/7)

- **2:00pm – Hearing: DHS and HHS Compliance with Committee Oversight** – The House Judiciary Subcommittee on Responsiveness and Accountability to Oversight holds a hearing to examine the compliance of the Department of Homeland Security (DHS) and Department of Health and Human Services (HHS) with the Committee's document requests and subpoenas. [Details.](#)

#### Wed. (5/8)

- **10:00am – Hearing: Immigrant Youth** – The Senate Judiciary Committee holds a hearing to examine the urgent need to protect immigrant youth. [Details.](#)
- **10:00am – Hearing: Alleviating Health Care Administrative Burdens** – The Senate Budget Committee holds a hearing to examine alleviating administrative burdens in health care, focusing on reducing paperwork and cutting costs. [Details](#)
- **10:00am – Hearing: FDA 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 Food and Drug Administration (FDA) with FDA Commissioner Robert Califf. [Details.](#)
- **10:00am – Hearing: Small Health Care Business Innovation** – The House Committee on Small Business holds a hearing titled "Stifling Innovation: Examining the Impacts of Regulatory Burdens on Small Businesses in Healthcare." [Details.](#)
- **2:30pm – Hearing: Data Security for Consumer Data** – The Senate Commerce, Science, and Transportation Subcommittee on Consumer Protection, Product Safety, and Data Security holds a hearing to examine strengthening data security to protect consumers, including through data minimization and robust data security practices. [Details.](#)

#### Thurs. (5/9)

- **10:00am – HRSA Meeting: Nursing Workforce Issues** – The Health Resources and Services Administration (HRSA) holds a meeting of the National Advisory Council on Nurse Education and Practice for the nursing workforce (e.g., nursing shortage, distribution, supply, and access) nursing practice improvement, nursing education, nursing work environment and support, and other Title VIII program activities. [Details.](#)
- **1:00pm – CMS Meeting: Primary Care AHEAD Model Overview** – The Centers for Medicare and Medicaid Services (CMS) holds a meeting to provide more information on the role of the Primary Care AHEAD program in the States Advancing All-Payer Health Equity Approaches and Development (AHEAD) Model. Member of the AHEAD Model team will provide an overview of the overall goals of the model, the integral role that primary care practices play in the success of the model, opportunities for participating State Medicaid Agencies, and the relationship between hospital global budgets and primary care components of the AHEAD Model. [Details.](#)

#### Additional Multi-Day Events

- **May 9-May 10 – HRSA Meeting: Newborn/Children Heritable/Rare Disorders** – HRSA holds a meeting of the Advisory Committee on Heritable Disorders in Newborns and Children to hear from experts in the fields of public health, medicine, heritable disorders, rare disorders, and newborn screening. [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. (5/3)

- **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. Comments are due June 6. [Details.](#)

#### Thurs. (5/2)

- **The Senate HELP Committee** convened a [hearing](#) to address pressing issues within the health care system, focusing on the underrepresentation of minority health care professionals. [Details.](#)

#### Weds. (5/1)

- **The SFC and House E&C Oversight and Investigations Subcommittee** held hearings focused on the cyberattack that targeted Change Healthcare, a subsidiary of UnitedHealth Group (UHG). [Details.](#)

#### Tues. (4/30)

- **The House E&C Health Subcommittee** convened a legislative [hearing](#) to consider 19 pieces of proposed legislation to address Medicaid access and program integrity. [Details.](#)

### Regulatory Lookback

#### Fri. (5/3)

- **CMS** issued [draft guidance](#) for the price applicability year 2027 and for the effectuation of the maximum fair price (MFP) in 2026 and 2027. [Details.](#)

- **CMS** released a [final rule](#) to revise the definition of “lawfully present” in order to expand eligibility for health insurance coverage through the Exchange and Basic Health Program to recipients of the DACA program. [Details.](#)
- **The Departments of HHS, Labor, and Treasury** released [Frequently Asked Questions \(FAQs\) Part 67](#) to extend the qualifying payment amount (QPA) enforcement discretion under the No Surprises Act until November 1, 2024. [Details.](#)
- **CMS** released its [annual report](#) on disparities in health care in Medicare Advantage (MA) by race, ethnicity, and sex. [Details.](#)
- **The GAO** released a [report](#) examining the Strategic National Stockpile ([SNS](#)) and its coordination challenges within HHS. [Details.](#)

#### Weds. (5/1)

- **The USPSTF** released a [final recommendation statement](#) on screening for breast cancer. [Details.](#)

#### Mon. (4/29)

- **The FDA** issued a [final rule](#) to amend its regulations to make explicit that LDTs are medical devices under FDA regulation. [Details.](#)
- **HHS ORR** announced it finalized a [Foundational Rule](#) aimed at codifying protections for unaccompanied children. [Details.](#)
- **The DOL** released a [final rule](#) to completely rescind the Trump-era policy that expanded the definition of association health plans. [Details.](#)
- **The FTC** finalized changes to the Health Breach Notification Rule (HBNR), aimed at clarifying its applicability to health apps and other emerging technologies. [Details.](#)

#### Comment & Application Deadlines

- **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 20:** HHS OMH issued an [RFI](#) to solicit input for the development of a universal symbol informing people about the availability of language assistance services in health settings. [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 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 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 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.](#)
- **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.](#)