

## Impact Health Policy Weekly

### Framing the Week

The House and Senate both come back into session today as European leaders join President Biden in DC for the 2024 NATO Summit (and 75<sup>th</sup> anniversary of NATO) this week.

The House is scheduled to take up a slew of bills including the fiscal year (FY) 2025 Legislative Branch spending bill; the SAFE Act, a measure to require proof of U.S. citizenship for voters; the Refrigerator Freedom Act and Stop Unaffordable Dishwasher Standards Act; and legislation to reverse the Department of Education's recent [Title IX Rule](#) which prohibits discrimination on the basis of sex and protects against discrimination based on sex stereotypes, sexual orientation, gender identity, and sex characteristics.

On a committee level, the House Appropriations Committee is scheduled to markup the [FY 2025 Labor-HHS-Education, Transportation-HUD and Agriculture-FDA appropriations bills](#) on Wednesday and on Thursday the Senate Appropriations Committee will begin marking up their own appropriations bills starting with the Military Construction-VA, Agriculture-FDA and Legislative Branch bills, as well as approving the Subcommittee allocations. The Senate allocations are expected to adhere to the spending level limits set by the Fiscal Responsibility Act, but unlike the House allocations, will likely also include additional funding provided by the "side deals" agreed to by President Biden and then House Speaker Kevin McCarthy in 2023.

### Hearings

On Thursday the **Senate Special Committee on Aging** is scheduled to hold a [hearing](#) to examine health care transparency, focusing on lowering costs and empowering patients. Also on Thursday the **Senate Health, Education, Labor, and Pensions Committee** will hold a [hearing](#) to examine the medical debt crisis, focusing on how Federal policy solutions can eliminate and address the issue.

### Regulatory Update

The Office of Management and Budget (OMB) has completed reviewing the following Medicare rules:

- **Calendar Year (CY) Payment Updates** – The CY 2025 proposed rule for [Medicare Physician Fee Schedule](#) and [hospital outpatient departments and ambulatory surgical centers](#) (June 2024).
- **Interoperability** – The [proposed rule](#) is intended to 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 (July 2024).

Additionally, OMB is currently reviewing the following rules:

#### Medicare

- **Fiscal Year (FY) Payment Updates** – The FY 2025 final rules for [hospitals and long-term care hospitals](#), [skilled nursing facilities](#), [inpatient rehabilitation facilities](#) (August 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).
- **Tobacco Products** – The [final rule](#) would prohibit the sale of tobacco products to persons younger than 21 years of age (was set for April 2024).
- **Retail Pharmacy Standards** – The [final rule](#) would require pharmacies and vendors to modify the currently adopted National Council for Prescription Drug Programs (NCPDP) standards to the Telecommunications Standard Implementation Guide Version F6 (F6); Batch Standard Implementation Guide version 15; and Batch Standard Subrogation Implementation Guide version 10 (was set for February 2024).

### This Week in Health Policy

#### Mon. (7/8)

- **12:45pm – AEI Discussion: Rural Health and Addiction Challenges** – The American Enterprise Institute (AEI) for Public Policy Research holds a discussion on issues facing rural America, focusing on health and addiction challenges, including on the causes of and potential solutions to the nation's drug epidemic. [Details.](#)
- **1:00pm – HITAC Meeting: Annual Report Workgroup** – The Health Information Technology Advisory Committee (HITAC) holds a meeting of the Annual Report Workgroup to discuss program updates. [Details.](#)

#### Tue. (7/9)

- **10:00am – Hearing: Child Care** – The Senate Finance Committee holds a hearing to examine the state of child care, focusing on how Federal policy solutions can support families, close existing gaps, and strengthen economic growth. [Details.](#)
- **10:00am – Hearing: Impact of High Costs on Children/Families** – The Senate Health, Education, Labor, and Pensions Subcommittee on Children and Families holds a hearing to

examine everyday expenses and everyday Americans, focusing on how high costs impact children and families. [Details.](#)

- **10:00am – Hearing: CBO’s Budget and Economic Outlook** – The Senate Budget Committee holds a hearing with the Congressional Budget Office (CBO) Director Phillip Swagel to examine CBO’s updated 2024-2034 budget and economic outlook. [Details.](#)
- **10:00am – Hearing: FCC’s FY 2025 Budget** – The House Energy and Commerce Communications and Technology Subcommittee holds a hearing to examine the fiscal year (FY) 2025 Federal Communications Commission (FCC) budget. [Details.](#)
- **10:30am – Hearing: FTC’s FY 2025 Budget** – The House Energy and Commerce Innovation, Data, and Commerce Subcommittee holds a hearing to examine the fiscal year (FY) 2025 Federal Trade Commission (FTC) budget. [Details.](#)
- **2:30pm – Senate Republicans Discussion: HHS Unaccompanied Children Program** – Sens. Chuck Grassley (R-IA), Bill Cassidy (R-LA) and Ron Johnson (R-WI) hold a discussion on "The Exploitation Crisis: How the U.S. Government is Failing to Protect Migrant Children from Trafficking and Abuse," focusing on the Department of Health and Human Services’ (HHS) Unaccompanied Children Program. [Details.](#)

#### Wed. (7/10)

- **9:00am – Markup: House Appropriations** – The House Appropriations Committee holds a markup of the Labor, Health and Human Services, Education, and Related Agencies Appropriations Bill for FY 2025, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Bill for FY 2025, and the Agriculture, Rural Development, Food and Drug Administration Appropriations Bill for FY 2025. [Details.](#)
- **10:00am – NIH Meeting: Autism Research** – The National Institutes of Health (NIH) holds a meeting of the Interagency Autism Coordinating Committee to discuss committee business, updates, and issues related to autism research and services activities. [Details.](#)
- **2:00pm – R Street Institute Discussion: HIV Harm Reduction** – The R Street Institute holds a discussion on strategies to persuade the public and reluctant policymakers to prioritize ending the domestic HIV epidemic by focusing on the most at-risk communities. [Details.](#)
- **4:00pm – AEI Discussion: Health Policy/2024 Election** – AEI holds a discussion with policy experts to explore how the presidential election will shape the future of health policy, including addressing Medicare solvency, identifying ways to lower health care costs, and determining how to appropriately incorporate artificial intelligence into the health care system. [Details.](#) FYI for all. Moderated by MedPAC’s Brian Miller and features panelists from Paragon and Heritage

#### Thurs. (7/11)

- **9:30am – Markup: Senate Appropriations** – The Senate Appropriations Committee holds a markup of the "Legislative Branch Appropriations Act, 2025", the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2025", and the "Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2025." [Details.](#)
- **10:00am – Hearing: Health Care Transparency** – The Senate Special Committee on Aging holds a hearing to examine health care transparency, focusing on lowering costs and empowering patients. [Details.](#)

- **10:00am – Hearing: Medical Debt** – The Senate Health, Education, Labor, and Pensions Committee holds a hearing to examine the medical debt crisis, focusing on how Federal policy solutions can eliminate and address the issue. [Details.](#)
- **10:00am – HITAC Meeting: Health IT Advisory Committee** – HITAC holds a meeting to discuss program updates, including recommendations to the National Coordinator on the topics of interoperability, privacy and security, patient access, and use of technologies that support public health. [Details.](#)
- **2:00pm – Food Tank Discussion: Food is Medicine** – Food Tank holds a discussion with Rep. Jim McGovern (D-MA) on the state of food policy in the United States, anti-hunger solutions, policies and programs helping advance Food is Medicine initiatives, and efforts to end food loss and waste. [Details.](#)

#### Additional Multi-Day Events

- **July 9-July 11 – NIST Meeting: AI Briefs** – The National Institute of Standards and Technology (NIST) holds a meeting of the National Artificial Intelligence Advisory Committee (NAIAC) for invited guests to brief the full committee on topics of interest related to the Committee's year three efforts as part of its community engagement listening sessions. [Details.](#)
- **July 11-July 12 – HRSA Meeting: Childhood Vaccine Office Updates** – The Health Resources and Services Administration (HRSA) holds a meeting of the Advisory Commission on Childhood Vaccines for updates from the Division of Injury Compensation programs, Department of Justice, Office of Infectious Disease and HIV/AIDS Policy, Immunization Safety Office, National Institute of Allergy and Infectious Diseases and Center for Biologics Evaluation and Research. [Details.](#)

#### Featured Analysis

- **Impact Mental Health Legislative Update** – In the Policy Hub Insight Bank [here.](#)
- **Impact Roundup of Behavioral Health Administrative 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 Artificial Intelligence Policy Round Up** – In the Policy Hub Insight Bank [here.](#)

#### Regulatory Lookback

##### Fri. (7/5)

- **USPSTF [requests comments](#)** on a draft recommendation statement and draft evidence review on screening for food insecurity. Comments are due July 22. [Details.](#)

**Weds. (7/3)**

- HHS [reaffirmed](#) that EMTALA requires Medicare-participating hospitals to provide abortion care if necessary to stabilize a patient's emergency medical condition. [Details.](#)

**Tues. (7/2)**

- CMMI [announced](#) that Maryland, Vermont, and Connecticut have been selected to participate in the States Advancing All-Payer Health Equity Approaches and Development (AHEAD) Model. [Details.](#)
- CMS released an [ICR](#) for the Negotiation Data Elements and Drug Price Negotiations Process for IPAY 2027 of the Medicare Drug Price Negotiation Program. Comments are due September 2. [Details.](#)
- CMS [announced](#) that five states- Illinois, Kentucky, Oregon, Utah, and Vermont, have been approved to provide pre-release services to Medicaid and CHIP beneficiaries. [Details.](#)

**Mon. (7/1)**

- The CBO [projected](#) that repealing the nursing home staffing rule is projected to save over \$22 billion in the next decade. [Details.](#)
- ONC [announced](#) a new data initiative to support maternal health. Feedback on the USCDI+ Maternal Health dataset by July 31. [Details.](#)
- AHRQ issued a [request for supplemental evidence and data submissions](#) to inform its review on Mindfulness-Based Interventions (MBIs) for Mental Health and Wellbeing in Children and Adolescents. Submissions are due July 26. [Details.](#)

**Comment & Application Deadlines**

- **July 10:** The GAO is [seeking nominations](#) for the Physician-Focused Payment Model Technical Advisory Committee. [Details.](#)
- **July 11:** HHS OMH issued an [RFI](#) on how community health workers can enhance cultural competency in public health educational campaigns. [Details.](#)
- **July 12:** CMS is seeking [nominations](#) for a Technical Expert Panel (TEP) to support the expansion of the CMS' Maternal Morbidity Structural Measure ([MMSM](#)) and the CMS' [Birthing-Friendly Hospital Designation](#). [Details.](#)
- **July 22:** USPSTF [requests comments](#) on a draft recommendation statement and draft evidence review on screening for food insecurity. [Details](#)
- **July 26:** AHRQ issued a [request for supplemental evidence and data submissions](#) to inform its review on Mindfulness-Based Interventions (MBIs) for Mental Health and Wellbeing in Children and Adolescents. [Details.](#)

- **July 29:** CMS released a [proposed rule](#) to mitigate the impact of significant, anomalous, and highly suspect billing activity involving intermittent urinary catheters on financial calculations in CY 2023 for ACOs participating in the MSSP. [Details.](#)
- **July 31:** AHRQ issued an [RFI](#) on new strategies to advance interoperable, shareable, and reusable clinical decision support resources. [Details.](#)
- **July 31:** ONC [announced](#) a new data initiative to support maternal health. [Details.](#)
- **August 12:** The CFPB issued a [proposed rule](#) aimed at eliminating medical bills from most credit reports. [Details.](#)
- **August 17:** CMS released a [notice of funding opportunity](#) for the Expanding Access to Women’s Health Grant. [Details.](#)
- **August 20:** SAMHSA is [seeking](#) applications for the Women’s Behavioral Health Technical Assistance Center (Women’s BH TAC) program for fiscal year 2024. [Details](#)
- **August 26:** CMS issued the CY 2025 home health prospective payment and rate update [proposed rule](#). [Details.](#)
- **August 26:** CMS released its CY 2025 end-stage renal disease (ESRD) prospective payment system (PPS) [proposed rule](#). [Details.](#)
- **September 2:** CMS released an [ICR](#) for the Negotiation Data Elements and Drug Price Negotiations Process for IPAY 2027 of the Medicare Drug Price Negotiation Program. [Details.](#)
- **September 20:** CMS released a [notice of funding opportunity \(NOFO\)](#) for the Transforming Maternal Health (TMaH) Model. [Details.](#)
- **September 26:** The FDA issued [draft guidance](#) entitled “Diversity Action Plans to Improve Enrollment of Participants from Underrepresented Populations in Clinical Studies.” [Details.](#)
- **September 30:** The CDC is [seeking nominations](#) for membership on the Healthcare Infection Control Practices Advisory Committee (HICPAC). [Details.](#)
- **February 25:** CMMI released an [RFA](#) for the Cell and Gene Therapy Access Model. [Details.](#)