



H&K Health Dose: September 13, 2022

A weekly dose of healthcare policy news

LEGISLATIVE UPDATES

Congress This Week: Funding the Government

The Senate returned to session last week, while the House returns to session today. September will primarily be oriented around "must-pass" activities before lawmakers return home to campaign in advance of the November midterm elections. Congress will focus on approving a temporary spending bill known as a continuing resolution (CR) before the fiscal year ends on Sept. 30, 2022. Although the Fiscal Year (FY)2022 government funding expires Sept, 30, the final resolution of the FY 2023 appropriations will likely not occur until the lame-duck legislative session in December.

The CR may include some of the supplemental funding included in the [50-page compilation of requests](#) by the Biden Administration. The request includes \$22.4 billion for COVID-19 resources, \$13.7 billion in aid to Ukraine and related energy issues, \$6.5 billion for disaster aid and \$4.5 billion for the monkeypox response. The CR may also include the reauthorization of the U.S. Food and Drug Administration (FDA) user fee programs and the extension of several expiring provisions such as the Maternal, Infant and Early Childhood Home Visiting Program (MIECHV) that expires at the end of the month and potentially other provisions impacting Medicare providers.

To secure the vote of Sen. Joe Manchin (D-W.Va.), on the Inflation Reduction Act, Senate Majority Leader Chuck Schumer (D-N.Y.) committed to considering a Manchin proposal that changes environmental permitting language, modifies the Clean Water Act and approves a gas pipeline from West Virginia to Virginia. A total of 72 House Democrats have signed a letter opposing the inclusion of this provision in a CR, and Sen. Bernie Sanders (I-Vt.) has also made it clear of his opposition.

ARPA-H Director Named

President Joe Biden plans to appoint longtime biologist and former government scientist Renee Wegrzyn as the first director of the Advanced Research Projects Agency for Health. President Biden's [announcement](#) comes as competing bills in the House and Senate would fill in the details of how the agency would operate, how it would be organized and where it could be located. U.S. Health and Human Services (HHS) Secretary Xavier Becerra elected to establish this agency as an entity within the National Institutes of Health (NIH), with the caveat that the agency will not be housed within NIH's physical facilities, and the ARPA-H director will report directly to Secretary Becerra and not the NIH director.

Meanwhile, a House bill seeks to make the agency solely independent of NIH. Both bills would prohibit the agency from being physically located on an NIH campus. The Senate bill would also ban the agency from being located in the Washington, D.C., area. Several states, including California, Maryland, Massachusetts and Texas, among others, are vying for the opportunity to house the agency. The Consolidated Appropriations Act (passed on March 15, 2022) appropriated \$1 billion for the establishment of ARPA-H, but the search for its inaugural director has taken months until now.



Quick Shots

- **Senators Call on Congress to "Reimagine" Mental Health:** Sens. Michael Bennet (D-Colo.) and John Cornyn (R-Texas), members of the Senate Finance Committee, released "[A Bold Vision for America's Mental Well-being](#)," a white paper outlining a new framework for reimagining and redesigning how mental and behavioral healthcare is delivered in the United States. The plan outlines four steps to reform the standing system: Pass a rapid response to the current crisis, rethink how the federal government interacts with local partners for mental healthcare, redesign funding and delivery systems, and reevaluate programs for the future.
- **HHS OIG Releases Telehealth Reports:** On Sept. 7, 2022, the HHS Office of Inspector General (OIG) released two data briefs examining the [demographics](#) and [program integrity risk](#) of Medicare telehealth service use during the COVID-19 pandemic.
- **MedPAC Fall Meeting:** The Medicare Payment Advisory Commission (MedPAC) held a two-day [public meeting](#) on Sept. 1-2, 2022, focused on Medicare payment policies, including those related to Medicare Advantage, Part B drug prices and the Medicare wage index.
- **CMS Seeks Comment on Promoting Efficiency, Advancing Equity:** The Centers for Medicare & Medicaid Services (CMS) [issued a request for information \(RFI\)](#) seeking public input and feedback on: 1) accessing healthcare and related challenges, 2) understanding provider experiences; 3) advancing health equity; and 4) the impact of the COVID-19 public health emergency (PHE) waivers and flexibilities. Comments must be received by Nov 4, 2022, to be considered.
- **White House Releases New COVID-19 Preparedness Plan:** On Sept. 8, 2022, the White House released an updated [National COVID-19 Preparedness Plan](#). According to the White House, the preparedness plan "lays out the roadmap to help us fight COVID-19 in the future as we begin to get back to our more normal routines."
- **Congressional RFI on MACRA:** Reps. Ami Bera, M.D. (D-Calif.), Larry Bucshon, M.D. (R-Ind.), Kim Schrier M.D. (D-Wash.), Michael Burgess, M.D. (R-Texas), Earl Blumenauer (D-Ore.), Brad Wenstrup, D.P.M. (R-Ohio), Bradley Schneider (D-Ill.) and Mariannette Miller-Meeke, M.D. (R-Iowa) [released an RFI](#) regarding the implementation of the Medicare Access and CHIP Reauthorization Act of 2015 (MACRA), and associated payment mechanisms. Responses are due by Oct. 31, 2022.