American Nephrology Nurses Association

Daily Capitol Hill Update – Friday, October 29, 2021

The following information comes from directly from news sources including Bloomberg Government, Kaiser Health News, and other news sources.

Schedules: White House and Congress

WHITE HOUSE

- Biden today met with Pope Francis and later Cardinal Pietro Parolin, Secretary of State in Vatican City.
- He will also hold separate meetings with Italian President Sergio Mattarella, Italian Prime Minister Mario Draghi and French President Emmanuel Macron.

CONGRESS:

- The House and Senate are out of Session

Congressional, Health Policy, and Political News

- **Bloomberg Government: Final 2022 Medicare Dialysis Payment Rule Cleared**: A final rule dictating 2022 Medicare payment rates for dialysis cleared White House review and could publish at any time. The proposed rule (RIN 0938-AU39) called for a 1.2% increase for freestanding kidney care centers and a 1.3% bump for hospital-based dialysis. For people with kidney failure, known also as end-stage renal disease, dialysis machines replace the filtering function of the failed organ.

- **Bloomberg Government Fault Lines on Drug Price Negotiations**: Democrats remain at odds over how to design legislation to allow the government to negotiate for lower drug prices, a divide that may keep a solution out of their sweeping domestic policy package. The White House omitted measures meant to lower drug prices from its framework for a $1.75 trillion domestic spending package released yesterday. There isn’t enough agreement among Democrats on drug price negotiation to include it in the framework, a Biden administration official told reporters.

- **Bloomberg Government: Senate Confirms Biden Drug Czar**: The Senate yesterday confirmed Rahul Gupta as director of the Office of National Drug Control Policy on a voice vote. He’ll be first physician to hold role of drug czar, with authority over dozens of agencies that deal with drug addiction and enforcement. Gupta’s biggest task will be tackling the opioid epidemic.

- **AP: Medicaid Issues, Not Medicare's, Get Fixes In Biden Budget**: Medicaid issues are turning up as winners in President Joe Biden’s social agenda framework even as divisions force Democrats to hit pause on far-reaching improvements to Medicare. The budget blueprint Biden released Thursday would fulfill a campaign promise to help poor people locked out of
Medicaid expansion across the South due to partisan battles, and it would provide low-income seniors and disabled people with more options to stay out of nursing homes by getting support in their own homes. It also calls for 12 months of Medicaid coverage after childbirth for low-income mothers, seen as a major step to address national shortcomings in maternal health that fall disproportionately on Black women.

- **Modern Healthcare: Biden To Nix HHS Regulation 'Sunset' Rule**: The Health and Human Services Department plans to repeal a regulation that would eliminate department rules after 10 years, according to a Federal Register notice published Thursday. The department finalized that regulation in the waning days of President Donald Trump’s term. The policy, which never fully took effect, would have sunset HHS regulations after 10 years unless the department reviewed them and justified leaving them in place. President Joe Biden’s administration delayed enforcement of the rule in March; the new HHS notice spells its imminent demise.

- **Modern Healthcare: FDA Releases Joint AI Medical Device Guidance With Canada, U.K.**: The U.S. Food and Drug Administration and its counterparts in Canada and the United Kingdom issued joint guidelines for companies creating medical devices that use artificial intelligence on Wednesday. The 10 "guiding principles" from the FDA, Health Canada and the U.K. Medicines and Healthcare Products Regulatory Agency applying expertise from multiple disciplines throughout product development and testing AI devices on data that’s representative of the intended patient population. The trilateral regulatory framework seeks to establish a foundation for safe and effective use of AI and machine learning in medical devices that organizations such as the International Medical Device Regulators Forum can build upon.

- **The New York Times: Texas Nurse Sentenced To Death For Fatally Injecting 4 Heart Patients With Air**: A former Texas nurse was sentenced to death this week for injecting air into the arteries of four patients recovering from heart surgery, causing fatal brain damage, a court official said. A jury in Tyler, Texas, handed up the sentence on Wednesday in the capital murder case of the former nurse, William Davis, eight days after convicting him.

- **Bloomberg Government: WHO Says $23 Billion Needed To Expand Access, Fight Covid-19**: The World Health Organization said $23.4 billion is needed to help provide access to Covid-19 vaccines, treatments and tests in low- and middle-income countries. The organization gave the estimate for the needs of its ACT-Accelerator plan through September 2022. The WHO has set a target to vaccinate at least 40% of people in every country by the end of the year with the help of Covax, the facility aimed at making inoculations available worldwide, after falling short of previous goals. Director-General Tedros Adhanom Ghebreyesus has called on rich countries to step up their support of poorer ones in order to accelerate the end of the pandemic.

- **Bloomberg Government Rule Will Let Employers Make Workers Pay for Tests**: The Biden administration’s highly anticipated vaccine mandate rule for private-sector employers will allow businesses to force workers who refuse to get the Covid-19 shot to pay for required weekly tests and masks, two sources familiar with the matter said.
  - The emergency rule, which will apply to companies with at least 100 employees and is expected to be released next week, will give employers the option of paying for testing and masks for unvaccinated workers or compelling those employees to foot the bill
themselves, according to the sources, who requested anonymity because they didn’t have approval to discuss the rulemaking.