American Nephrology Nurses Association

Daily Capitol Hill Update – Friday, December 10, 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, First Lady Jill Biden, Vice President Kamala Harris, and Second Gentleman Douglas Emhoff attend the memorial service at 11 a.m. of the late Sen. Bob Dole (R-Kan.) at the Washington National Cathedral.

- Biden delivers closing remarks to the virtual Summit for Democracy.

- Biden will depart Washington for Wilmington, Del., at 5:45 p.m.

**CONGRESS:**

- The House and Senate are out today. The Senate returns Monday, the House on Tuesday.

**Congressional, Health Policy, and Political News**

- **Modern Healthcare: Senate Votes To Avert Medicare Cuts To Providers:** The Senate on Thursday evening voted 59-34 to avert looming Medicare cuts to providers, sending the legislation to President Biden's desk for signature. The highly-anticipated vote comes weeks before the cuts were set to take effect, putting providers on edge as lawmakers hammered out a final deal. The bill, which passed the House earlier this week, will delay 2% cuts to Medicare rates through March 2022 and punt a separate round of 4% Medicare cuts totaling about $36 billion to 2023.

- **Bloomberg Government: Debt Limit Deal Fuels Filibuster Debate:** The Senate passed a bill yesterday to preemptively block Republicans from filibustering a debt limit bill, with GOP leadership’s support, prompting lawmakers to consider future potential exceptions to the chamber’s 60-vote threshold.
  - The bill only creates a one-time exception to the Senate’s 60-vote requirement to end debate. But conservatives complained the move was a mistake by Senate Minority Leader Mitch McConnell (R-Ky.), and Democrats say it opens the door to future exceptions to the 60-vote threshold.
  - If Republicans are willing to waive the 60-vote threshold for a debt limit measure, there’s no reason they can’t do the same for other pieces of legislation, House Budget Chair John Yarmuth (D-Ky.) said in a Wednesday interview. “They’ve certainly opened themselves up to a legitimate argument about why there might not be other things that are as important as the debt limit,” Yarmuth said.
• KHN: Suit By Doctors, Hospitals Seeks Change In How Arbitrators Settle Surprise Billing Cases: Two of the largest lobbying groups representing physicians and hospitals filed a lawsuit Thursday challenging a Biden administration decision on how to implement the law shielding patients from most surprise medical bills. The lawsuit from the American Hospital Association and the American Medical Association does not seek to halt the law from going into effect in January. Instead, it seeks a change in a key provision in regulations issued in September. At issue is how arbitrators will decide the amount insurers pay toward disputed out-of-network bills.

• Modern Healthcare: Key Lawmakers Seek To Make Telehealth Flexibilities Permanent: A powerful House chairman introduced a bill Thursday that would permanently remove restrictions on where Medicare patients can access telehealth services but would make other telehealth coverage policies only temporary. The bill, sponsored by Ways and Means Committee Chairman Lloyd Doggett (D-Texas), would permanently lift a restriction that says patients must live in rural areas and receive telehealth services at participating health facilities for it to be covered by Medicare. Rep. Devin Nunes (Calif.), the senior Republican on the panel's health subcommittee, is a cosponsor.

• Bloomberg Government: Hospitals, Insurers Split Over Surprise Billing Restrictions: Health insurers and medical providers are sharply split over a Biden administration rule that lays out how they should resolve disputes over surprise bills. Hospitals and doctors say they will be hurt by the rule implementing legislation to crack down on surprise billing, but health insurers and employers argue it will prevent health-care price inflation. “It’s really put a finger on the scale in favor of plans,” said Amanda Hayes-Kibreab, a partner with law firm King & Spalding who represents major hospitals and providers.

• Stat: Hospitals, Physicians Sue Biden Administration Over Surprise Billing: The nation’s largest hospital and physician lobbying groups are suing the Biden administration over regulations aimed at protecting patients from surprise medical bills. At issue is a controversial mediation process that health care providers and insurers will use to settle payment disputes when patients receive emergency care, or care provided by out-of-network physicians at in-network facilities. Congress laid out the broad strokes of the idea in a bipartisan 2020 law banning surprise medical billing, but left it to the Biden administration to fully design the arbitration process.

• Bloomberg Government: Drug Prices: The House Oversight and Reform Committee scheduled a hearing for today to discuss the findings of a committee investigation into drug pricing and potential changes.

• Bloomberg Government: CMS Told Nursing Home Aides’ Training Waiver Must End: Advocates for nursing home residents say it’s past time for the Biden administration to reinstate mandatory federal training requirements for nursing aides who handle the bulk of direct patient care at the facilities. To ensure staffing at the onset of the pandemic, the Trump administration waived a rule that limited employment for temporary nursing aides to four months at Medicare- and Medicaid-certified facilities unless they finished state-approved training of at least 75 hours.