

American Nephrology Nurses Association

Daily Capitol Hill Update - Monday, December 14, 2020

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

- 12:30pm: Trump has lunch with Vice President Mike Pence
- 2:30pm: Trump signs executive order on economic and geographic mobility
- 4pm: Pence leads Governors' video teleconference on Covid-19 response

CONGRESS

- House out; holds pro forma session at 1:30pm
 - No votes expected this week until agreements reached on FY21 spending bill and coronavirus relief package
- Senate meets at 3pm; resumes consideration of nomination of Thomas Kirsch to U.S. Court of Appeals for the Seventh Circuit
- House Speaker Nancy Pelosi and Treasury Sec. Steven Mnuchin to discuss federal funding and pandemic relief following their 30-minute phone call Sunday
- Lawmakers will present language for two separate bipartisan stimulus bills; one that will propose \$748 billion in spending and a second featuring contentious provisions for state aid and employer liability protections

Congressional, Health Policy, and Political News

- **Bloomberg Government: 'Surprise' Medical Billing Fix Emerges in House:** House and Senate committee leaders have struck a deal on a bipartisan fix for "surprise" medical bills, likely paving a way for its passage soon. Ways and Means Chairman Richard Neal (D-Mass.) has signed onto legislation that would ban balance billing, where a doctor or hospital charges a patient fees their insurer won't cover, for most out-of-network care. It also seeks to hold patients harmless when they get emergency care from an out-of-network provider.
- **Bloomberg Government: Biden Has 'Clear Mandate,' Aides Say:** Biden will enter the White House with a "clear mandate" from the American people, his top advisers said as they took a victory lap to detail his win just before the Electoral College votes. Even as Trump and his supporters continue to reject the outcome, Biden's team expressed confidence that the president-elect will be able to turn the page and follow through on his campaign pledge to unify the country and keep his promises, beginning with fighting Covid-19 and providing economic relief.
 - "Joe Biden won decisively and has a clear mandate to lead this country," campaign manager Jen O'Malley Dillon, who'll join the Biden White House as deputy chief of staff, said during a Sunday press briefing. "If you look across any metric that we could put together, and in the context of history, it is hard to see anything but a historic victory for the president-elect."

- **Bloomberg Government: Trump Says Will Veto Defense Policy Bill:** Trump repeated his threat to veto the annual defense policy bill that last week won enough bipartisan support in Congress to easily overturn his opposition. “THE BIGGEST WINNER OF OUR NEW DEFENSE BILL IS CHINA!. I WILL VETO!” said Trump in a tweet yesterday. Trump had recently threatened to veto the must-pass legislation because of his opposition to renaming bases honoring Confederate generals and his demand that it should strip away liability protections for social media companies.
 - The 2021 National Defense Authorization Act cleared the Senate 84-13 on Friday after the \$740 billion plan passed the House in a 335-78 vote. Those levels of support would defeat a Trump veto by a wide margin, but some of his congressional allies could feel political pressure from the outgoing president to change their vote.

- **Modern Healthcare: HHS Finalizes Rule Easing Protection Of Substance Abuse Disorder Medical Records:** HHS on Friday finalized a rule clarifying that courts can allow disclosure of confidential communications between patients and substance abuse treatment programs if it aids the investigation or prosecution of serious crimes. It aims to correct a 2017 rule that reworked privacy protections for substance use disorder information. According to the final rule, HHS didn't intend to block information that could help criminal investigations.

- **Bloomberg Government: Vaccine D-Day Lands With 2.9 Million Doses:** The first coronavirus vaccine arrived in record time, an essential step toward ending the pandemic. Now comes another equally challenging phase of the battle: producing enough shots to immunize the majority of the U.S. population and then getting them into everyone's arms by next summer. Army Gen. Gustavo Perna, who serves as chief operating officer for Operation Warp Speed, said Saturday that the first doses of the Pfizer-BioNTech vaccine will be delivered today. The initial delivery will be completed in all 50 states by Wednesday, he said.
 - It's an enormous and historic undertaking that's already been marked by confusion and uncertainty. As late as last Friday, some states were saying they weren't sure how many doses they'll get. There have also been questions about whether the U.S. has ordered enough shots to meet its ambitious distribution schedule moving into 2021. “We're not taking a victory lap,” Perna said on Saturday. “We know that the road ahead of us will be tough.”
 - Hospitals are going into overdrive in the final hours before they receive the first U.S. shipments of the vaccine, ensuring they are ready for the final payoff from months of planning. “It's very exciting,” Fran Hixson, director of clinical quality at Chesterfield, Missouri-based Mercy Health, said in an interview yesterday. “We've learned along the way how we can protect ourselves from the virus, and adding a vaccine to our toolbox is a very exciting time for us to be moving this ahead.”
 - Pfizer gained emergency U.S. authorization for its Covid-19 vaccine on Friday, completing an unprecedented scientific sprint. A panel of advisers to the Centers for Disease Control and Prevention on Saturday voted to recommend that people over 16 receive it. Still, the swift authorization also caps a fraught political struggle that has seen the president push federal regulators to swiftly clear the vaccine, potentially undermining public trust. In the final hours of the review Friday, White House Chief of Staff Mark Meadows suggested to FDA Commissioner Stephen Hahn that failure to clear the vaccine for use soon could cost him his job. On Saturday, Hahn defended the agency's thoroughness and transparency.
 - On Sunday Moncef Slaoui, who heads Operation Warp Speed, rued political pressure on the vaccine's approval process when asked by Fox News about the reports of Meadows and Hahn. “I think it was useless and unfortunate, and so are some of the

tweets," he said. Public pressure "did never translate into any kind of interference of any sort" on Operation Warp Speed, he said.

- **Modern Healthcare: Hospital Associations Sue HHS Over 340B Enforcement:** The suit accuses HHS of not requiring drug companies to provide discounted drugs to hospitals in the program as mandated by 340B regulations, according to a news release from the group, which also includes 340B Health, the Association of American Medical Colleges, the Children's Hospital Association and the American Society of Health-System Pharmacists. Also participating in the suit, filed in U.S. District Court for the Northern District of California, are Avera St. Mary's Hospital in Pierre, S.D., Riverside Regional Medical Center in Newport News, Va., and St. Mary's Medical Center in San Francisco.