American Nephrology Nurses Association

Daily Capitol Hill Update – Thursday, December 2, 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 will speak from the National Institutes of Health at 1:40 p.m. on his plans to tackle Covid-19 this winter and the omicron variant.

• Biden and his family, along with Vice President Kamala Harris and her family, will attend the National Christmas Tree Lighting at 5:30 p.m. on the Ellipse. Biden and Interior Secretary Deb Haaland will deliver remarks.

CONGRESS:

• The House meets at 8 a.m. Potential consideration of a yet-to-be-released stopgap spending measure is listed on the schedule.

• The Senate meets at 10 a.m. It plans to resume consideration of the annual defense policy bill, which stalled yesterday amid disagreements on 25 amendments to the bill.

Congressional, Health Policy, and Political News

• **Bloomberg Government: Organ Transplant Feedback Sought by HHS:** The Biden administration wants the public to weigh in with specific ideas to help advance and improve equity in the organ transplant and donation system. The Request for Information issued Monday by the Department of Health and Human Services through the Centers for Medicare & Medicaid Services seeks “feedback from those on organ transplant waitlists, transplant recipients, their families, living donors and those who sign up to be posthumous donors,” a department statement said.

• **Modern Healthcare: CMMI Drops Program On Improving Care For The Seriously Ill:** The Center for Medicare and Medicaid Innovation pulled a program intended to improve care coordination for seriously ill Medicare patients, saying it wouldn’t be able to enroll enough beneficiaries in the model to adequately test it. The component was part of the Primary Care First model, a voluntary payment model meant to encourage primary care practices to deliver additional care, like around-the-clock access to a clinical call line, integrate behavioral healthcare and better engage with patients and caregivers.

• **Bloomberg Government: Congress Totters Toward Shutdown on Funding Discord, GOP Threat:** The federal government moved another day closer to a brief weekend shutdown with congressional Democrats and Republicans still struggling for agreement to pass a stopgap funding bill before Friday’s deadline.
Senate leaders in both parties also haven’t fully turned back a threat by a group of conservative Republicans to tie up the vote on a temporary government funding measure over their objections to federal Covid-19 vaccine and testing mandates.

Senate Majority Leader Chuck Schumer (D-N.Y.) and his Republican counterpart, Mitch McConnell (R-Ky.), gave repeated assurances throughout the day yesterday that negotiations were making progress and a deal was near. “I think we’re going to be OK,” McConnell told reporters. But as the House and Senate adjourned for the night there was no agreement.

One of the main hangups between the two chambers and between Republicans and Democrats was how long the stopgap funding authority would last. Democrats were pushing for late January while Republicans backed a longer temporary measure to give more time for negotiations on the 12 annual appropriations bills for the fiscal year that began Oct. 1. Also under negotiation was extra funding to process visas for refugees from the U.S. war in Afghanistan.

The stopgap measure puts agencies on autopilot, freezing in place program funding levels and forbidding new contracts, with few exceptions. Another hurdle is the demand by a group of Republicans in the Senate that the stopgap block funding for President Joe Biden’s initiative requiring large private employers to either mandate vaccinations against Covid-19 or provide weekly testing.

Some Republicans suggested the standoff could be resolved by allowing a simple-majority vote on an amendment to the stopgap bill that would remove funding to implement the vaccine mandate. “I think that would be a very good resolution,” Sen. Ted Cruz (R-Texas), who had said he would oppose the stopgap without addressing the vaccine mandate, said.

Democratic leaders had not yet weighed in, but a similar amendment failed on a party-line vote during debate on the last short-term spending bill, which expires tomorrow, and likely would again.

**Bloomberg Government: Research Groups Back Califf for FDA:** More than 50 disease advocacy, research and provider organizations threw their support behind Robert Califf, Biden’s choice to lead the Food and Drug Administration. The U.S. “is at a pivotal moment in terms of public health. The FDA and patients need the leadership that Dr. Califf will bring as soon as possible,” their letter said, which Friends of Cancer Research posted yesterday.

The Senate Health, Education, Labor and Pensions Committee hasn’t yet scheduled a nomination hearing for Califf. Chairwoman Patty Murray (D-Wash.) said she spoke with him earlier this week, while ranking Republican Richard Burr (R-N.C.) said he’s meeting with Califf next week. Burr said he wants Califf to assure him that the FDA won’t “go backwards,” saying the pandemic has proven the agency can approve new drugs faster than it’s done in previous years, Alex Ruoff reports.

If confirmed, Califf would take on his second stint leading the agency at a time that it’s facing immense public scrutiny of over its decisions on coronavirus vaccines, treatments and tests, along with its controversial decision to approve Biogen’s Alzheimer’s disease drug Aduhelm. Despite his background as a prolific researcher, clinical trialist, Duke University cardiologist and the FDA’s leader during the Obama administration, his ties to the drug industry already have led several Democrats to oppose his nomination.

**Bloomberg Government: Biden Team Appeals Nationwide Halt to Health Worker Vaccine Rule:** The Biden administration is appealing a federal court’s decision to block its health-care
worker vaccine mandate nationwide, except for in 10 states where the rule has already been halted. The U.S. District Court for the Western District of Louisiana granted the preliminary injunction on Tuesday, finding that the Medicare agency lacked the statutory authority to issue the rule.