

American Nephrology Nurses Association

Daily Capitol Hill Update – Monday, February 1, 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

- 10am: Biden and Vice President Kamala Harris receive the President's Daily Brief
- 11am: White House Covid-19 Response Team and public health officials give press briefing
- 12:30pm: Press briefing with Press Sec. Jen Psaki
- 5pm: Biden and Harris meet with Republican Senators about Covid-19 relief proposal

CONGRESS

- House Speaker Nancy Pelosi plans for the chamber this week to take the first step toward proceeding with a Democrat-only relief bill, by considering a budget resolution
 - House Budget Chair John Yarmuth plans to introduce the measure Monday
- Senate vote on nomination of Alejandro Mayorkas to be secretary of homeland security, originally scheduled for 5:30pm on Monday, has been moved to Tuesday
 - Senate Majority Leader Chuck Schumer is threatening as soon as Tuesday to move the chamber toward a Democrat aid package, embodying Biden's proposals, which would take the form of a reconciliation bill and allow the Senate to proceed on a simple-majority vote basis

Congressional, Health Policy, and Political News

- **Modern Healthcare: CMS Pauses Organ Procurement, Part D E-Prescribing Rules:** The Biden administration on Friday paused two Trump-era regulations affecting organ procurement organizations and Part D prescription drug plans. CMS delayed a rule that would revamp quality reporting measures to boost transparency in the organ procurement and transplantation process, according to the agency. It also pushed back a rule that would mandate Part D plans to support a new electronic prior authorization standard for their Part D e-prescribing plans. Both regulations were set to take effect on Feb. 1 but will now start on Mar. 30. It's unclear whether the Biden administration will ultimately move forward with either rule.
- **Bloomberg Government: Slower Pace of HHS Confirmation:** Some of President Joe Biden's supporters are growing nervous his pick to lead the Health and Human Services Department isn't expected to be confirmed for weeks to come. The HHS plays a major role in Biden's Covid-19 response and his plans for reversing many Trump administration health policies, former HHS officials argue. Much of the work can't start until HHS has a permanent leadership structure in place.

- “It’s absolutely critical to have a permanent head at HHS,” said former Rep. Donna Shalala (D-Fla.), who also served as HHS secretary. “It should’ve been put on the top burner by the Senate.” The Senate got off to a slow start this year waiting for the results of a Georgia runoff election early in January that gave Democrats the slimmest majority. That meant most of Biden’s picks weren’t granted early confirmation hearings.
 - Becerra is unlikely to be confirmed until at least the second week of February, maybe longer if the impeachment trial for former President Donald Trump keeps the chamber from acting on other business. For now, the Senate Finance Committee is reviewing the necessary paperwork, from tax returns to ethics documents, needed to hold a hearing for former California Attorney General Xavier Becerra, Biden’s pick to lead HHS, a committee aide said. No hearing has been scheduled yet.

- **Bloomberg Government: GOP Senators Offer Stimulus Compromise:** Biden and Democratic congressional leaders must decide whether to break the administration’s \$1.9 trillion Covid-19 relief proposal into pieces after a scaled-down Republican plan emerged.
 - The \$600 billion GOP proposal offered to the president by 10 Republican senators on Sunday provides the potential to move a bipartisan bill that includes components from the Biden proposal, including funding for coronavirus vaccines and testing, and unemployment assistance.
 - Democrats could still aim to enact the president’s other items, such as state and local government aid and a minimum-wage increase, separately -- although they could lose the leverage that attachment to more direct Covid-19 aid funding would provide.
 - Biden will meet with the Republican senators at the White House this afternoon to discuss their alternative proposal. The president extended the invitation on Sunday during a conversation with Sen. Susan Collins (R-Maine) one of the letter’s authors, and asked the group “for a full exchange of views,” White House Press Secretary Jen Psaki said in a statement.
 - The president has hoped for a bipartisan stimulus deal since before taking office. At the same time, the GOP plan is far short of what Biden wants, and Democrats could pursue the rest of the Biden proposal using a partisan budget tool. Democratic leaders have prepared the ground for legislative action this week that uses that special procedure, called reconciliation.
 - Despite the overture from the Republicans, House Budget Chair John Yarmuth (D-Ky.) said yesterday he plans to move forward today with introducing a fiscal 2021 budget resolution, the first step toward producing a reconciliation bill embodying the Biden stimulus.
 - The budget is to be voted on by the House later this week and will contain instructions to other committees to assemble the stimulus bill.
 - Senate Majority Leader Chuck Schumer (D-N.Y.) is threatening as soon as tomorrow to move the Senate toward the budget process, which would allow 50 Democrats to pass some parts of the Biden plan without any Republican cooperation.

- **Bloomberg Government: Biden Adviser Warns of Variants, Lockdowns:** A top health adviser to Biden warned yesterday that a new variant of the coronavirus circulating in the U.K. will likely become the dominant strain in the U.S. and may lead to future restrictions

on in-person gatherings. Michael Osterholm, director of the Center for Infectious Disease Research and Policy at the University of Minnesota, said on NBC's "Meet the Press" that the nation's health care system must prepare for a surge in serious cases such as the one experienced recently in England. "What we have to do now is also anticipate this and understand that we're going to have to change quickly," said Osterholm, who's a member of Biden's Covid-19 advisory board. "As fast as we're opening restaurants, we're likely to be closing them in the near term."

- A Covid-19 mutation that likely confers partial resistance to the antibodies produced by vaccines is now in the U.S., spurring scientists to probe new ways to battle a disease that's constantly changing and could remain active for years. Late-stage trials released last week on vaccines developed by Johnson & Johnson and Novavax showed their shots to be generally potent against early forms of Covid-19. But results from studies done in South Africa told a less impressive tale. The J&J shot was found to be 72% effective in the U.S., but that fell to 57% in South Africa. Novavax's shot, 89% effective in the U.K., was only 49% effective in South Africa.
- **CIDRAP: COVID Inflammatory Syndrome In Kids Ranges From Mild To Life-Threatening:** An international survey of 183 pediatric patients with the rare but serious COVID-19–related multisystem inflammatory syndrome in children (MIS-C) shows broad clinical presentations, from mild illness featuring fever and inflammation to life-threatening shock similar to that of Kawasaki disease (KD). The study, led by researchers at Royal Brompton Hospital in London and published today in *Pediatrics*, was a retrospective case series of children younger than 18 years diagnosed as having MIS-C who were released from the hospital or died from Mar 1 to Jun 15, 2020, from 33 hospitals in American, Asian, and European countries.
- **Bloomberg Government: Surge Appears to Flame Out:** A bit of good news for Biden: Even in the most devastated U.S. counties, the latest Covid-19 surge is receding, buying authorities new time as they attempt to vaccinate about 330 million people. Recent hot spots including Webb County, Texas; Maricopa County, Arizona; and Greenville and Spartanburg counties in South Carolina have seen cases trend downward in the last week, according to USAFacts, a nonprofit aggregator used by the CDC.
- **Bloomberg Government: Medicare Electronic Prescription Rule Caught Up in Mass Freeze:** HHS also delayed a policy on Friday meant to streamline the process for certain medications to get insurance coverage via Medicare plans. The rule, (RIN 0938-AT94), published in the Federal Register on Dec. 31, 2020, was slated to go into effect Jan. 30, though the Centers for Medicare & Medicaid Services wouldn't enforce the rule until January 2022. The rule is delayed until March 30.
- **Modern Healthcare: HIPAA Patient Privacy Law Due For An Overhaul, Experts Say:** The Health Insurance Portability and Accountability Act—HIPAA—turns 25 years old in August, and experts say it's time for the patient privacy law to finally live up to its promise. While HIPAA mostly succeeded in safeguarding patient health information created in the healthcare system, it hasn't enabled widespread information sharing and doesn't really protect health-relevant information outside the traditional healthcare system. Most experts agreed the nation's health privacy rules are long overdue for an overhaul, given all the changes that have taken place in healthcare and technology since 1996, though some insiders think the current regulatory system works well enough.