

# American Nephrology Nurses Association

Daily Capitol Hill Update - Tuesday, September 14, 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 is scheduled to depart Long Beach, Calif. shortly after 10 a.m. and land in Denver, Colo. after 1 p.m. for a visit to the National Renewable Energy Laboratory in Golden, where he'll deliver remarks on lawmakers' infrastructure and budget reconciliation packages.
- The president is set to depart Denver after 5 p.m. and return to the White House after 10 p.m.

### CONGRESS:

- House: 9:00am - Legislative proposals to comply with the reconciliation directive included in section 2002 of the Concurrent Resolution on the Budget for Fiscal Year 2022, S. Con. Res. 14. - Committee Print Consisting of Subtitles F, G, H, and J: Budget Reconciliation Legislative Recommendations Relating to Infrastructure Financing, Green Energy, Social Safety Net, and Prescription Drug Pricing 1. Revised notice of markup: 9/13/2021 a. Addition of Wednesday, September 15th to scheduled day of markup and; b. Addition of motion to transmit recommendations to the Committee on the Budget. 2. Amendment in the nature of a substitute to add Subtitle I, Legislative Recommendations Relating to Funding Our Priorities
- Senate: 10:00am - Convene and proceed to executive session to resume consideration of the nomination of James Richard Kvaal, of Massachusetts, to be Under Secretary of Education.

## Congressional, Health Policy, and Political News

- **Modern Healthcare: House Democrats Propose Permanent Expansion Of ACA Subsidies:** House Democrats are proposing a permanent extension of enhanced Affordable Care Act tax credits to middle-income earners that would mark the largest expansion of the healthcare law's benefits since its passage in 2010. Under the House Ways and Means Committee's portion of a \$3.5 trillion domestic policy bill Democrats are advancing, people with incomes at or above 400% of the federal poverty level – about \$52,000 for an individual – would be eligible for subsidies to buy insurance on the ACA marketplaces. The bill would also make ACA subsidies more generous for people making between 100% and 400% of the federal poverty level.
- **USA Today: COVID Vaccine Booster Shots: Who Can Get Them When Is Still Uncertain:** In just a week, COVID-19 vaccine boosters could begin to be available to all fully vaccinated Americans. But exactly who will be eligible and when won't be decided until two key scientific advisory committees meet days before the Biden administration's Sept. 20 start date.

That leaves little reaction time for health care system administrators like Dr. Tammy Lundstrom, chief medical officer for Michigan-based Trinity Health, which operates 91 hospitals and 120 continuing care facilities in 22 states. "We have our data team poised, ready to hit the button to help us identify all our patients who are ready for a booster," Lundstrom said. "We're anxiously waiting for guidance, as is everybody."

- **Bloomberg Government: Sweeping Biomedical Research Bill Nears:** The biomedical research legislation "Cures 2.0" will come out later this month as architects of the bill hope to pass it this year. Reps. Fred Upton (R-Mich.) and Diana DeGette (D-Colo.) said yesterday their bill will include a wide swath of health programs to build on their 2016 law known as "21st Century Cures." The pair introduced a draft bill in June. Among the measure's provisions include language on:
  - Making permanent provisions that made telehealth easier during the pandemic;
  - Ways for the Medicare agency to make faster and more predictable decisions on cutting-edge therapies;
  - Efforts to improve clinical trial diversity; and
  - Improvements in pandemic preparedness.
  - "One thing that we realized when we got into the pandemic was how important 21st Century Cures was, because many of those provisions actually helped us to develop the vaccine as quickly as we did," DeGette said yesterday at Research!America's national health research forum. "One thing we learned throughout the process was that we just have to be better prepared in the future."
  - The bill also will authorize the Advanced Research Projects Agency for Health (ARPA-H), which is modeled after DARPA, an agency within the Department of Defense that paved the way for technologies such as the internet and GPS. ARPA-H aims to offer similar breakthroughs in biomedical research by offering a nimble, flexible funding schedule to bring big ideas to fruition in half the time.
- **Bloomberg Government: Ways and Means Also Weighing Drug Prices:** In addition to the Energy and Commerce markup, the Ways and Means Committee will also weigh similar legislation to H.R. 3, which would allow the government to demand much lower prices for up to 250 drugs currently on the market. The Ways and Means panel is also proposing making permanent a two-year expansion of the Affordable Care Act's insurance subsidies started earlier this year.
  - Meanwhile, a divide has emerged in the business community over support for legislation to lower drug costs, pitting major business groups against each other. Groups like ERIC and the Purchaser Business Group on Health, which represents Wal-Mart, Chevron, and McKesson, have been urging lawmakers to fold in employer plans in legislation on federal negotiation authority for drug prices. They want employers to be able to buy drugs at the same rates as the government.
  - "Congress has an opportunity to make a real difference in the lives of all Americans with this drug price reform," said PBGH's CEO Elizabeth Mitchell in a letter to lawmakers yesterday. "But to be meaningful for the nation, their reforms must include the 60% of the population who are covered by private insurance."
  - The U.S. Chamber of Commerce and other major business groups are pushing back, saying ERIC and PGBH don't represent them and that they're adamantly opposed to Democrats' drug pricing plan. Katie Mahoney, the chamber's vice president of health policy, told reporters yesterday that it's being held up as a "carrot" for employers to

back the reconciliation package, but large businesses oppose any kind of government negotiation with drugmakers.

- Joel White, president of the Council for Affordable Health Coverage and a lobbyist for the Pharmaceutical Research and Manufacturers of America, said business groups that support drug pricing legislation don't represent the interests of the business community. "You wouldn't go to the drywall hangers to ask if the building is going to fall down. You'd go to the CEO," he said.
- **Bloomberg Government: Group Sees Support for Health Items in Biden Agenda:** A group allied with Democrats is circulating a poll among 1,200 people showing that health-care language in the budget reconciliation effort is the most popular part of it. "Support for the investments in critical priorities in the act is strong (74-26%), but is significantly stronger (80-20%) when the description includes that the plan reduces health care costs and the price of prescription drugs," the group Protect Our Care said in a statement.
- **Modern Healthcare: Biden To Toss Medicare Coverage For "Breakthrough" Technology:** The Centers for Medicare & Medicaid Services wants to repeal a Trump-era rule allowing Medicare to cover medical devices designated as "breakthrough" technology by the Food and Drug Administration, according to a proposed rule on Monday. Former President Donald Trump's administration had said the original rule was necessary because the existing Medicare coverage determination process is too slow and could delay beneficiaries' access to the latest medical technology. Medical device companies lauded the plan when CMS first announced it last year. But patient-safety groups like ECRI worried it could threaten the safety of Medicare patients. Other experts agreed, and now CMS does too.
- **Bloomberg Government: Biden Team Proposes to Nix Medicare Rule for Life-Saving Devices:** The Biden administration is proposing to repeal a Trump-era rule that gives medical device companies faster Medicare payments for life-saving products. The rule, which was finalized in January, allows Medicare to start paying for some devices right after they get a green light from the FDA – cutting back the typical nine- to 12-month turnaround time companies wait to get paid.