

## HEALTH POLICY UPDATE: December 15, 2022

### Congressional Schedule:

- The Senate convenes at 10 a.m. Following leader remarks and per a unanimous consent agreement, the Senate will begin consideration of the nomination of Musetta Tia Johnson to be a judge of the U.S. Court of Appeals for the Armed Forces. At noon, the Senate will vote on confirmation of the Johnson nomination. Additional votes are expected.
  - Nominations:
    - Musetta Tia Johnson to be a judge of the U.S. Court of Appeals for the Armed Forces.
- The House reconvened at 9 a.m. for legislative business. The chamber is expected to consider a bill (HR 1948) that would remove certain restrictions on VA clinicians' ability to negotiate collective bargaining agreements.
  - HR 1948 — VA Employee Fairness Act

### Health policy update:

- Drug pricing and Inflation Reduction Act-related items
  - Bloomberg: Biden HHS Moves to Adjust Private Medicare Plans, Drug Coverage - <https://www.bgov.com/next/news/RMWN3AT0G1KW>
  - Stat News (Opinion): Fixing price instability can improve access to affordable prescription drugs - <https://www.statnews.com/2022/12/15/national-average-drug-acquisition-cost-drug-pricing-benchmark/>
  - Inside Health Policy: CMS Expands On IRA To Extend Low-Income Part D Access, Expand Biosimilars - [https://insidehealthpolicy.com/daily-news/cms-expands-ira-extend-low-income-part-d-access-expand-biosimilars?utm\\_medium=nh](https://insidehealthpolicy.com/daily-news/cms-expands-ira-extend-low-income-part-d-access-expand-biosimilars?utm_medium=nh)
  - Inside Health Policy: CMS Proposes Requiring All Generics Be Put On ACA Generic Drug Tier - [https://insidehealthpolicy.com/daily-news/cms-proposes-requiring-all-generics-be-put-aca-generic-drug-tier?utm\\_medium=nh](https://insidehealthpolicy.com/daily-news/cms-proposes-requiring-all-generics-be-put-aca-generic-drug-tier?utm_medium=nh)
  - RealClearHealth: Five Reasons for Congress to Protect the 340B Program - [https://www.realclearhealth.com/articles/2022/12/14/five\\_reasons\\_for\\_congress\\_to\\_protect\\_the\\_340b\\_program\\_111439.html](https://www.realclearhealth.com/articles/2022/12/14/five_reasons_for_congress_to_protect_the_340b_program_111439.html)

- Pharmacy Times: Tip of the Week: Keep Up With Issues Affecting Pharmacy Viability - <https://www.pharmacytimes.com/view/tip-of-the-week-keep-up-with-issues-affecting-pharmacy-viability>
- Managed Healthcare Executive: Beyond the Big Three PBMs - <https://www.managedhealthcareexecutive.com/view/beyond-the-big-three-pbms>
- Becker's Hospital Review: How Medicare drug pricing changes could affect commercial plans: 3 things to know - <https://www.beckerspayer.com/payer/how-medicare-drug-pricing-changes-could-affect-commercial-plans-3-things-to-know.html>
- Nurse staffing
  - New York Times: How a Sprawling Hospital Chain Ignited Its Own Staffing Crisis - <https://www.nytimes.com/2022/12/15/business/hospital-staffing-ascension.html>
  - The Hill: Nonprofit hospitals' staffing shortage easing: report - <https://thehill.com/policy/healthcare/3776241-nonprofit-hospitals-staffing-shortage-easing-report/>
  - Kaiser Health News: Squeezed by Temp Nurse Costs, Hospital Systems Create Their Own Staffing Agencies - <https://khn.org/news/article/squeezed-by-temp-nurse-costs-hospital-systems-create-their-own-staffing-agencies/>
  - Skilled Nursing News: 'Proof is There': Successful Skilled Nursing Staffing Initiatives By the Numbers - [https://skillednursingnews.com/2022/12/proof-is-there-successful-skilled-nursing-staffing-initiatives-by-the-numbers/?euid=e0557ca2d3&utm\\_source=snn-newsletter&utm\\_medium=email&utm\\_campaign=449adb2bb0&mc\\_cid=449adb2bb0&mc\\_eid=e0557ca2d3](https://skillednursingnews.com/2022/12/proof-is-there-successful-skilled-nursing-staffing-initiatives-by-the-numbers/?euid=e0557ca2d3&utm_source=snn-newsletter&utm_medium=email&utm_campaign=449adb2bb0&mc_cid=449adb2bb0&mc_eid=e0557ca2d3)
  - Fierce Healthcare: Healthcare sector adds jobs through fall but still faces elevated quit rates: Fitch Ratings - <https://www.fiercehealthcare.com/providers/healthcare-sector-adds-jobs-through-fall-still-faces-elevated-quit-rates-fitch-ratings>
- Organ donation and transplantation items
  - Still looking for House Oversight report
  - No new items

- Vision/dental care in Medicare-related items
  - No new items
- Physical rehabilitation
  - No new items
- Hospital and physician payment-related items
  - Axios: Out-of-pocket health costs spiked in 2021 - <https://www.axios.com/2022/12/15/health-spending-2021-insurance-cms>
  - Healthcare Dive: CMS estimates 41.5M people affected by innovation center models since late 2020 - <https://www.healthcaredive.com/news/CMS-innovation-models-congress-report/638631/>
  - Inside Health Policy: CMS Issues Second Set Of Prior Auth Reforms In New Proposed Rule - [https://insidehealthpolicy.com/daily-news/cms-issues-second-set-prior-auth-reforms-new-proposed-rule?utm\\_medium=mh](https://insidehealthpolicy.com/daily-news/cms-issues-second-set-prior-auth-reforms-new-proposed-rule?utm_medium=mh)
  - Medical Economics: Bill introduced to avoid 5% cuts to APM incentives for value-based care - <https://www.medicaleconomics.com/view/bill-introduced-to-avoid-5-cuts-to-apm-incentives-for-value-based-care>
  - Becker's Hospital Review: Healthcare prices drop for 5th month straight: 5 things to know - <https://www.beckershospitalreview.com/finance/healthcare-prices-drop-for-5th-month-straight-5-things-to-know.html>
  - Becker's Hospital Review: Senators introduce legislation to extend incentive payments: 4 things to know - <https://www.beckershospitalreview.com/finance/senators-introduce-legislation-to-extend-incentive-payments-4-things-to-know.html>
  - Modern Healthcare: Healthcare spending growth slowed in 2021 as COVID funding waned - [https://www.modernhealthcare.com/finance/healthcare-spending-growth-slowed-2021-covid-funding?utm\\_source=modern-healthcare-am-thursday&utm\\_medium=email&utm\\_campaign=20221214&utm\\_content=article\\_1-headline](https://www.modernhealthcare.com/finance/healthcare-spending-growth-slowed-2021-covid-funding?utm_source=modern-healthcare-am-thursday&utm_medium=email&utm_campaign=20221214&utm_content=article_1-headline)
  - Fierce Healthcare: Last-minute Senate bill seeks to extend value-based care doc bonus for another 2 years - <https://www.fiercehealthcare.com/providers/last-minute-senate-bill-seeks-extend-value-based-care-doc-bonus-another-two-years>

- McKnights Senior Living: Operating pressures, clinical add-ons bringing more small providers to value-based models - <https://www.mcknights.com/news/operating-pressure-clinical-add-ons-bringing-more-small-providers-to-value-based-models/>
- Nursing home quality initiative
  - The White House (Press Release): Fact Sheet: Biden Administration Announces COVID-19 Winter Preparedness Plan - <https://www.whitehouse.gov/briefing-room/statements-releases/2022/12/15/fact-sheet-biden-administration-announces-covid-19-winter-preparedness-plan/>
  - Skilled Nursing News: Spending on Nursing Care Facility, CCRC Services Dropped 8% Nationally in 2021 - [https://skillednursingnews.com/2022/12/spending-on-nursing-care-facility-ccrc-services-dropped-8-nationally-in-2021/?euid=e0557ca2d3&utm\\_source=snn-newsletter&utm\\_medium=email&utm\\_campaign=449adb2bb0&mc\\_cid=449adb2bb0&mc\\_eid=e0557ca2d3](https://skillednursingnews.com/2022/12/spending-on-nursing-care-facility-ccrc-services-dropped-8-nationally-in-2021/?euid=e0557ca2d3&utm_source=snn-newsletter&utm_medium=email&utm_campaign=449adb2bb0&mc_cid=449adb2bb0&mc_eid=e0557ca2d3)
- Health equity-related items
  - MedCity News: Health Equity and the Push to Value-Based Care - [https://medcitynews.com/2022/12/health-equity-and-the-push-to-value-based-care/?utm\\_campaign=MCN%20Daily%20Top%20Stories&utm\\_medium=email&hsmi=238065985&hsenc=p2ANqtz-D87IRh9YzHoSDEdz6b\\_Omt8gCWm65LPlh8YqNrDGN\\_7qHMjpF\\_55sXrjSgBMFL\\_ZmGiWHc6fGgAr1fZHbVifQ1WRpu6g&utm\\_content=238065985&utm\\_source=hs\\_email](https://medcitynews.com/2022/12/health-equity-and-the-push-to-value-based-care/?utm_campaign=MCN%20Daily%20Top%20Stories&utm_medium=email&hsmi=238065985&hsenc=p2ANqtz-D87IRh9YzHoSDEdz6b_Omt8gCWm65LPlh8YqNrDGN_7qHMjpF_55sXrjSgBMFL_ZmGiWHc6fGgAr1fZHbVifQ1WRpu6g&utm_content=238065985&utm_source=hs_email)
  - RevCycleIntelligence: Health Equity Training Model to Boost HIV Screenings, COVID-19 Shots - <https://patientengagementhit.com/news/health-equity-training-model-to-boost-hiv-screenings-covid-19-shots>
- Hospital merger news
  - No new items
- Telehealth news
  - Healthcare Finance News: Telehealth's future after the end of the public health emergency - <https://www.healthcarefinancenews.com/news/telehealths-future-after-public-health-emergency-ends>
  - mHealthIntelligence: US Reps Push for Extension of Telehealth Flexibilities for HDHP Members - <https://mhealthintelligence.com/news/us-reps-push-for-extension-of-telehealth-flexibilities-for-hdhp-members>

- 118<sup>th</sup> Congress and lame-duck news
  - Bloomberg: Time Running Out to Prepare for Next Pandemic, Lawmakers Warn - <https://www.bgov.com/next/news/RMXHX7DWX2PS>
- ALS news
  - Biopharma Dive: For ALS patients, doctors, a new medicine reignites concerns about healthcare access - <https://www.biopharmadive.com/news/als-relyvrio-amylyx-drug-access-insurance/638668/>