

American Nephrology Nurses Association

Daily Capitol Hill Update – Tuesday, November 30, 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 at the White House at 10:45 a.m. on veterans' issues, after signing four bills into law: S. 796, S. 894, S. 1031, and S. 1095.
- The president is scheduled to leave the White House at 11:30 a.m. for a trip to Rosemount, Minn., where he will speak from Dakota County Technical College at 3:30 p.m. on infrastructure jobs.
- Biden is scheduled to return to the White House at 8:05 p.m.

CONGRESS:

- The Senate meets at 10 a.m. to resume consideration of the must-pass defense policy bill, which has run into procedural hurdles.
- The House is in at 2 p.m., with votes schedule at 6:30 p.m. on a slate of largely bipartisan bills that will be considered under expedited procedure.

Congressional, Health Policy, and Political News

- **Modern Healthcare: Supreme Court Questions HHS Interpretation Of DSH Formula:** Supreme Court justices on Monday were skeptical that the Health and Human Services Department fairly interpreted Medicare law when it changed the formula for disproportionate share hospital calculations. During oral arguments, the justices asked pointed questions about the specific language HHS interpreted to create its DSH formula. They wondered whether the department should receive a wide latitude for interpreting congressional language dictating the policy. "So it strikes me as a situation where I think we ought to be particularly precise in interpreting the language Congress used without any gloss added by the agency," Chief Justice John Roberts said.
- **Bloomberg Government: Justices Skeptical of HHS Changes to Hospitals' Extra Payments:** A majority of justices on the Supreme Court seemed hesitant yesterday to reinstate a 2005 rule that in many cases cut the amount of additional Medicare payments hospitals get for serving a larger share of poor patients. The case was a complicated one that seemed to frustrate the justices during hour-long arguments. Justice Clarence Thomas called the rule's language indecipherable while Justice Brett Kavanaugh rattled off at least five problems with the Department of Health and Human Services regulation. At issue are changes the HHS made to

how the supplemental payments, known as disproportionate share hospital adjustments, are calculated.

- **Bloomberg Government: Biden's Big Bet on Family Care Risks Payoff After 2022:** President Joe Biden promises cheaper and more accessible care for children, the elderly and disabled once his \$2 trillion social spending package passes Congress, yet it will take years to set up programs to help struggling families. To deliver on the heart of Biden's economic agenda, policy makers will have to address worker shortages worsened by the pandemic and scale up business sectors that already struggle with lengthy waiting lists. They also must galvanize state bureaucracies that face their own political and financial constraints.
 - The risk of delay in delivering tangible results hangs over Biden and Senate Democrats, who return this week to continue deliberations on the tax-and-spending legislation with next year's midterm congressional elections fast approaching. "What matters is what people see in their lives, not what politicians tell them," said Tom Davis, who headed House Republicans' campaign arm when he served in Congress. "It's your word versus mine in a campaign until the benefit actually comes in."
 - Massive federal programs often take years to fully get off the ground. The health insurance exchanges at the core of President Barack Obama's Affordable Care Act didn't open until three and a half years after the legislation became law and then it took several months to fix glitches that plagued online enrollment. But in the immediate aftermath, the law was unpopular and Democrats lost control of the House and saw their comfortable Senate majority whittled down.
- **Bloomberg Government: Biden said his administration has made strides toward relieving U.S. supply-chain disruptions:** He met yesterday with the leaders of major retailers including Walmart who assured him they have ample inventories for the holiday season. "We've seen some progress" in tackling logjams at ports, Biden told the business leaders who gathered at the Eisenhower Executive Office Building. He said his administration's discussions with port companies and labor unions have contributed to a 40% decrease in the number of containers sitting at docks for eight days or longer. "We keep building on that progress," he said.
- **Bloomberg Government: The Centers for Disease Control and Prevention is recommending booster shots for all vaccinated people 18 and older:** The guidance, which previously said adults "may" get boosters, now says they "should" get a third dose of the Moderna or Pfizer shot six months after their second dose. The same recommendation applies to those who received the single-shot Johnson & Johnson vaccine but after only two months.
- **The New York Times: Stamping Bar Codes On Cells To Solve Medical Mysteries:** No one really knew why some patients with a white blood cell cancer called chronic lymphocytic leukemia, or C.L.L., relapsed after treatment and got a second cancer. Were some cancer cells just resistant? An unexpected answer to this mystery has been found using a new technique that researchers call bar coding: The treatment does not always target the right cells. Scientists discovered that the cancer does not always originate in the mature bone marrow cells where it is found and where textbooks say it originates. Instead, for some patients, the mother lode of the cancer can be primitive bone marrow cells, the stem cells, that give rise to all of the body's white and red blood cells. Those cells, not affected by the chemotherapy treatment, can spawn new cancer cells, causing a relapse.

- **Bloomberg Government: Sanders Wants Revenue from SALT Measure for Medicare Expansion:** Sen. Bob Menendez (D-N.J.) said his talks with Sen. Bernie Sanders (I-Vt.) about an income cap for a state and local tax deduction are in trouble. Sanders said in an interview he wants a \$400,000 income cap that would raise a couple hundred billion dollars for spending he wants on Medicare dental and vision care, among other priorities. Sanders said Menendez wants a higher cap that does not raise revenue, but the two are continuing to discuss the issue.