



Health Policy Briefing

February 21, 2023

Former President Jimmy Carter Enters Hospice Care

Former President Jimmy Carter, 98, has begun receiving hospice care following a series of short hospital stays, according to The Carter Center. He has opted to forgo additional medical intervention in favor of spending his remaining time at home with his family, according to the [statement](#) from the center. Carter served as the 39th president of the United States from 1977 to 1981. He is the nation's oldest living President and the nation's longest-lived president.

Senate Appropriations Announces Subcommittee Rosters

Senate Appropriations Committee Chair Patty Murray (D-Wash.) and Ranking Member Susan Collins (R-Maine) have announced their panel's subcommittee chairs, ranking members, and full rosters for the 118th Congress. Sen. Martin Heinrich (D-N.M.) and Sen. John Hoeven (R-N.D.) will serve as chair and ranking member of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee. Sen. Tammy Baldwin (D-Wis.) and Sen. Shelley Moore Capito (R-W.Va.) will serve as chair and ranking member of the Labor, Health and Human Services, Education, and Related Agencies Subcommittee. The full details on subcommittee leadership and rosters can be found [here](#). Hart Health Strategies Inc. continues to update our [Guide to the 118th Congress](#). This living document provides a list of health professionals serving in Congress, House and Senate leadership, congressional health committee members, and biographies on new members of Congress.

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Coronavirus Panel Jumpstarts COVID-19 Origins Investigation

Republicans on the House Select Subcommittee on the Coronavirus Pandemic are requesting testimony, classified briefings, and documents from current Biden administration officials, U.S. intelligence agencies, and Anthony Fauci regarding the origins of the COVID-19 pandemic. The lawmakers are looking to further delve into theories that the coronavirus originated from laboratory experiments and gain-of-function research – possibly funded by U.S. dollars – in Wuhan, China, rather than from a Chinese market as much evidence indicates. Letters requesting information were sent to [U.S. Department of Health and Human Services Secretary Xavier Becerra](#), [former National Institute of Allergy and Infectious Diseases Director Anthony Fauci](#), [EcoHealth Alliance President Peter Daszak](#), [Director of National Intelligence Avril Haines](#), and [White House adviser Francis Collins](#). Fauci has repeatedly stated that he would be willing to testify before any congressional committee if asked.

New GAO Report on Private Equity and IRB Effectiveness

The Government Accountability Office (GAO) released a new [report](#) last week regarding private equity consolidation of institutional review boards (IRBs). The report came at the request of Health, Education, Labor, and Pensions (HELP) Committee Chair Bernie Sanders (I-Vt.) and Sens. Elizabeth Warren (D-Mass.) and Sherrod Brown (D-Ohio) due to concerns about the increased use of independent IRBs and the effect on protecting human subjects. The GAO makes four recommendations to improve federal oversight of IRBs, including that the U.S. Department of Health and Human Services and the Food and Drug Administration conduct annual risk assessments to determine if the agencies are routinely inspecting an adequate number of IRBs and to optimize the use of inspections in the oversight of IRBs and protection of research participants. GAO also suggests that agencies examine and implement approaches for measuring IRB effectiveness.

Feinstein Announces Retirement Decision

Sen. Dianne Feinstein (D-Calif.) announced her decision to not run for a seventh Senate term in 2024. Feinstein, 89, is the chamber's longest serving Democrat and its oldest member. Her decision to retire was widely expected, with Reps. Katie Porter (D-Calif.) and Adam Schiff (D-Calif.) having previously announced bids for her seat in the Senate. Feinstein is currently a member of the Senate Judiciary Committee and the Appropriations Committee.

Fetterman Seeks Treatment for Depression

Sen. John Fetterman (D-Pa.), 53, announced last week that he has checked himself into inpatient treatment at Walter Reed Medical Center and is seeking treatment for clinical depression on the recommendation of Congress' attending physician. Fetterman is also in recovery from a stroke suffered on the campaign trail last year. According to the American Stroke Association, depression is common among stroke survivors. Fetterman's aides have stated that he will likely return to the Senate from inpatient care in a few weeks.

Casey Undergoes Surgery for Prostate Cancer

Sen. Bob Casey (D-Pa.) underwent a scheduled surgery for prostate cancer last week and plans to return to the Senate "after a period of rest and recovery." Doctors do not expect him to require further treatment, according to a tweet from the Senator's office. While the chamber is not scheduled to reconvene until February 27, an extended absence from Casey, along with the absence of Sen. John Fetterman (D-Pa.), could have an impact on Senate business given Democrat's slim 51-49 majority.

CBO Describes Scoring Methodology Behind Reconciliation Bill's Drug Pricing Measures

The Congressional Budget Office (CBO) has released a [presentation](#) describing how the agency estimated the budgetary impact of the major prescription drug pricing provisions of the Inflation Reduction Act, passed last year via the budget reconciliation process. The law requires the U.S. Department of Health and Human Services to negotiate the prices of certain Medicare Part B and Part D drugs, requires pharmaceutical manufacturers of brand products to pay rebates if their prices exceed an inflation-adjusted benchmark, and provides for redesigns of the Part D benefit. In total, CBO estimated that these measures will reduce the federal deficit by \$129 billion from 2022 through 2031.

Upcoming Congressional Hearings and Markups

Senate Health, Education, Labor, and Pensions Committee hearing “Taxpayers Paid Billions For It: So Why Would Moderna Consider Quadrupling the Price of the COVID Vaccine?” 10:00 a.m.; March 22

House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies public witness hearing; March 23

Recently Introduced Health Legislation

H.R.982 — To address the health needs of incarcerated women related to pregnancy and childbirth, and for other purposes. Sponsor: Kamlager-Dove, Sydney [Rep.-D-CA-37]; Committees: House - Judiciary; Budget

H.R.977 — To repeal changes made by health care reform laws to the Medicare exception to the prohibition on certain physician referrals for hospitals. Sponsor: Burgess, Michael C. [Rep.-R-TX-26]; Committees: House - Energy and Commerce; Ways and Means

H.R.974 — To remove obstacles to the ability of law enforcement officers to enforce gun safety laws, and for other purposes. Sponsor: Beyer, Donald S., Jr. [Rep.-D-VA-8]; Committees: House - Judiciary

H.Res.122 — Expressing support for States to expand Medicaid under the Affordable Care Act to close the Medicaid coverage gap. Sponsor: Davis, Donald G. [Rep.-D-NC-1]; Committees: House - Energy and Commerce

S. 397 – A bill to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; Sponsor: Brown, Sherrod [D-OH]; Committees: Senate - Health, Education, Labor, and Pensions

S.403 — A bill to amend the Public Health Service Act to authorize a public education campaign across all relevant programs of the Health Resources and Services Administration to increase oral health literacy and awareness; Sponsor: Lujan, Ben Ray [Sen.-D-NM]; Committees: Senate - Health, Education, Labor, and Pensions

S.406 — A bill to establish the Public Health Information and Communications Advisory Committee for purposes of providing recommendations and reports, and to support educational initiatives on communication and dissemination of information during public health emergencies; Sponsor: Murphy, Christopher [Sen.-D-CT]; Committees: Senate - Health, Education, Labor, and Pensions

S.407 — A bill to amend title XIX of the Social Security Act to establish a methodology for determining State allotments for Medicaid disproportionate share hospital payments that is based on State poverty levels, to require States to prioritize disproportionate share hospital payments on the basis of Medicaid inpatient utilization and low-income utilization rates, and for other purposes; Sponsor: Rubio, Marco [Sen.-R-FL]; Committees: Senate - Finance

S.420 — A bill to prohibit Federal funds from being made available to facilities that refuse to provide treatment based on COVID-19 vaccination status; Sponsor: Paul, Rand [Sen.-R-KY]; Committees: Senate - Health, Education, Labor, and Pensions

S.421 — A bill to prohibit Federal funding to the Wuhan Institute of Virology and to require a GAO study regarding Federal funds previously provided to such institute or to entities affiliated with the Chinese Government; Sponsor: Ernst, Joni [Sen.-R-IA]; Committees: Senate - Foreign Relations

S.423 — A bill to streamline enrollment in health insurance affordability programs and minimum essential coverage, and for other purposes; Sponsor: Van Hollen, Chris [Sen.-D-MD]; Committees: Senate - Finance

S.424 — A bill to protect the seniors of the United States, and for other purposes; Sponsor: Scott, Rick [Sen.-R-FL]; Latest Action: Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.

H.R.990 — To amend title XIX of the Social Security Act to establish a methodology for determining State allotments for Medicaid disproportionate share hospital payments that is based on State poverty levels, to require States to prioritize disproportionate share hospital payments on the basis of Medicaid inpatient utilization and low-income utilization rates, and for other purposes; Sponsor: Bilirakis, Gus M. [Rep.-R-FL-12]; Committees: House - Energy and Commerce

H.R.991 — To prohibit Federal funds from being made available to entities that refuse to provide treatment based on COVID-19 vaccination status; Sponsor: Bishop, Dan [Rep.-R-NC-8]; Committees: House - Energy and Commerce; Ways and Means

H.R.994 — To amend the Public Health Service Act to authorize a public education campaign across all relevant programs of the Health Resources and Services Administration to increase oral health literacy and awareness; Sponsor: Cárdenas, Tony [Rep.-D-CA-29]; Committees: House - Energy and Commerce

H.R.1001 — To amend the Higher Education Act of 1965 to include service as a veteran family caregiver as a public service job for purposes of the public service loan forgiveness program, and for other purposes; Sponsor: Connolly, Gerald E. [Rep.-D-VA-11]; Committees: House - Education and the Workforce

H.R.1003 — To direct the Secretary of Veterans Affairs to carry out a study and clinical trials on the effects of cannabis on certain health outcomes of veterans with chronic pain and post-traumatic stress disorder, and for other purposes; Sponsor: Correa, J. Luis [Rep.-D-CA-46]; Committees: House - Veterans' Affairs

H.R.1004 — To establish the Public Health Information and Communications Advisory Committee for purposes of providing recommendations and reports, and to support educational initiatives on communication and dissemination of information during public health emergencies; Sponsor: DeGette, Diana [Rep.-D-CO-1]; Committees: House - Energy and Commerce

H.R.1011 — To require the Director of the Office of Management and Budget to conduct an audit of any unobligated coronavirus-related funding and to rescind all such funding, and for other purposes; Sponsor: Finstad, Brad [Rep.-R-MN-1]; Committees: House - Oversight and Accountability; Appropriations

H.R.1012 — To amend the Public Health Service Act to clarify liability protections regarding emergency use of automated external defibrillators; Sponsor: Franklin, C. Scott [Rep.-R-FL-18]; Committees: House - Energy and Commerce

H.R.1024 — To amend the Public Health Service Act to ensure that nonanimal methods are prioritized, where applicable and feasible, in proposals for all research to be conducted or supported by the National Institutes of Health, to provide for the establishment of the National Center for Alternatives to Animals in Research and Testing, and for other purposes; Sponsor: Pappas, Chris [Rep.-D-NH-1]; Committees: House - Energy and Commerce

H.R.1025 — To prohibit Federal funding to the Wuhan Institute of Virology and to require a GAO study regarding Federal funds previously provided to such institute or to entities affiliated with the Chinese Government; Sponsor: Perry, Scott [Rep.-R-PA-10]; Committees: House - Foreign Affairs

H.R.1029 — To amend titles XVIII and XIX of the Social Security Act to make improvements to the treatment of the United States territories under the Medicare and Medicaid programs, and for other purposes; Sponsor: Plaskett, Stacey E. [Del.-D-VI-At Large]; Committees: House - Energy and Commerce; Ways and Means

S.444 — A bill to require any convention, agreement, or other international instrument on pandemic prevention, preparedness, and response reached by the World Health Assembly to be subject to Senate ratification; Sponsor: Johnson, Ron [Sen.-R-WI]; Committees: Senate - Foreign Relations

S.449 — A bill to amend title 38, United States Code, to improve the assignment of patient advocates at medical facilities of the Department of Veterans Affairs; Sponsor: Stabenow, Debbie [Sen.-D-MI]; Committees: Senate - Veterans' Affairs

S.455 — A bill to terminate the requirement imposed by the Director of the Centers for Disease Control and Prevention for proof of COVID-19 vaccination for foreign travelers, and for other purposes; Sponsor: Marshall, Roger [Sen.-R-KS]; Committees: Senate - Health, Education, Labor, and Pensions

S.456 — A bill to amend title 10, United States Code, to authorize non-medical counseling services, provided by certain mental health professionals, to military families; Sponsor: Sinema, Kyrsten [Sen.-I-AZ]; Committees: Senate - Armed Services

S.457 — A bill to establish a Federal tort against pediatric gender clinics and other entities pushing gender-transition procedures that cause bodily injury to children or harm the mental health of children; Sponsor: Hawley, Josh [Sen.-R-MO]; Committees: Senate - Judiciary

S.460 — A bill to amend the Indian Health Care Improvement Act to establish an urban Indian organization confer policy for the Department of Health and Human Services; Sponsor: Smith, Tina [Sen.-D-MN]; Committees: Senate - Indian Affairs

S.462 — A bill to amend the Public Health Service Act to modify the loan repayment program for the substance use disorder treatment workforce to relieve workforce shortages; Sponsor: Smith, Tina [Sen.-D-MN]; Committees: Senate - Health, Education, Labor, and Pensions

S.464 — A bill to amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for tobacco products and electronic nicotine delivery systems; Sponsor: Shaheen, Jeanne [Sen.-D-NH]; Committees: Senate - Finance

S.466 — A bill to provide for the National Academies of Sciences, Engineering, and Medicine to study and report on a Federal research agenda to advance the understanding of perfluoroalkyl and polyfluoroalkyl substances, and for other purposes; Sponsor: Peters, Gary C. [Sen.-D-MI]; Committees: Senate - Commerce, Science, and Transportation

S.468 — A bill to amend the Public Health Service Act to enhance compliance with hospital price transparency requirements, and for other purposes; Sponsor: Kennedy, John [Sen.-R-LA]; Committees: Senate - Health, Education, Labor, and Pensions

S.470 — A bill to repeal changes made by health care reform laws to the Medicare exception to the prohibition on certain physician referrals for hospitals, and for other purposes; Sponsor: Lankford, James [Sen.-R-OK]; Committees: Senate - Finance

S.471 — A bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions; Sponsor: Lankford, James [Sen.-R-OK]; Committees: Senate – Finance

S.476 — A bill to amend title XI of the Social Security Act to protect access to genetically targeted technologies; Sponsor: Menendez, Robert [Sen.-D-NJ]; Committees: Senate – Finance

S.492 — A bill to prohibit the imposition of certain substantial burdens, relating to COVID-19 vaccine mandates, on religious exercise, and for other purposes; Sponsor: Rubio, Marco [Sen.-R-FL]; Committees: Senate – Judiciary

S.526 — A bill to strengthen the use of patient-experience data within the benefit-risk framework for approval of new drugs; Sponsor: Wicker, Roger F. [Sen.-R-MS]; Committees: Senate - Health, Education, Labor, and Pensions