



Health Policy Briefing

August 17, 2020

House Returns to Focus on Postal Service

Over the weekend, House Speaker Nancy Pelosi (D-Calif.) announced that she will call the chamber back this week to vote on legislation to prohibit the U.S. Postal Service from implementing any changes to the operations or levels of service it had in place on January 1, 2020. Previously, Majority Leader Steny Hoyer (D-Md.) announced the September floor [schedule](#) for the House of Representatives. The September schedule will follow the same format as June and July. The first week of the month will be used for committee work. The House will be in session the following three weeks for votes on a range of bills, including to fund the federal government beyond the end of the month. The chamber will be on 24-hours' notice to return for votes on COVID-related legislation.

Senate Recesses Without Deal on Next COVID-19 Relief Package

Senate Majority Leader Mitch McConnell (R-Ky.) decided to recess the Senate given the absence of a deal on the next coronavirus relief package. Negotiations between the administration and Congressional Democrats are deadlocked, with the two sides still at a disagreement on unemployment benefits, state and local aid, and liability protections. Each side also remains at odds on the total size of the relief package. Democrats in the House previously approved a \$3 trillion bill, and have offered to come down to \$2 trillion. The White House is standing by the Senate's \$1 trillion proposal, although internal GOP divisions remain with some Senate Republicans standing in opposition to any additional funding. Talks officially collapsed on August 7, the last time key negotiators met in person. The Senate will continue to hold pro forma meetings through the end of the state work period, and will formally reconvene on September 8. Senators will receive at least 24-hour's notice to return if the stalemate is overcome and a vote is scheduled.

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Biden Selects Kamala Harris as Running Mate

Democratic presidential nominee Joe Biden has selected Sen. Kamala Harris (D-Calif.) to be his running mate. Harris is a former prosecutor and previous 2020 Democratic presidential contender. She will be the first Black woman and the first person of Indian descent to be nominated for vice president by a major party. While Harris co-sponsored Medicare for All legislation in the Senate, she later released her own health care plan that would provide Medicare for all Americans while retaining a role for private health insurance companies in a model similar to Medicare Advantage.

While Biden is on the record in opposition to Medicare for All, which he has characterized as too expensive and having no chance of passing Congress, his health care agenda has moved to the left since his time in the Senate and as vice president. Biden has called for measures to strengthen the Affordable Care Act (ACA), such as expanding premium subsidies and allowing Medicare to negotiate drug prices, and has proposed a government-run public option that would auto-enroll low-income individuals. He has also proposed lowering the Medicare eligibility age from 65 to 60. Biden has drafted a plan to make COVID-19 testing free and more accessible, increase the nation's number of contact tracers, open up a coronavirus special enrollment period in the ACA exchanges, expand support for sick leave, restore U.S. membership in the World Health Organization (WHO), and rapidly distribute an eventual coronavirus vaccine. If elected, the Democratic candidate also plans to reverse health care-related executive actions taken by the Trump administration, including the expansion of short-term, limited-duration health insurance plans and cuts to ACA open enrollment outreach. The broader outcome of the November elections will determine what Biden would actually be able to accomplish if elected president.

Democratic Convention This Week

Democrats will hold a largely virtual and remote convention this week to formally nominate Joe Biden as their candidate for president. In addition to nominating their presidential and vice presidential candidates, Democratic Party members will also adopt the official 2020 Democratic Party platform. Sen. Bernie Sanders (I-Vt.), former First Lady Michelle Obama, Senate Minority Leader Chuck Schumer (D-N.Y.), former President Bill Clinton, House Speaker Nancy Pelosi (D-Calif.), and former President Barack Obama, among others, are scheduled to speak.

Coronavirus Panel to Investigate Operation Warp Speed

House Coronavirus Crisis Subcommittee Chair Jim Clyburn (D-S.C.) is [requesting](#) details about potential conflicts of interest between the Trump administration and Operation Warp Speed. In a letter to U.S. Department of Health and Human Services (HHS) Secretary Alex Azar, Clyburn expresses strong support for efforts to develop and distribute an eventual coronavirus vaccine, but notes concerns that “the selection of candidate vaccines for Operation Warp Speed lacked transparency and excluded many vaccine experts.” Operation Warp Speed’s chief advisor, Dr. Moncef Slaoui, is a venture capitalist and former pharmaceutical executive.

Oversight Panel to Probe Ventilator Contract

The House Oversight and Reform Subcommittee on Consumer Policy has [invited](#) the President’s trade aide Peter Navarro and Philips North America CEO Vitro Rocha to testify before the panel on the administration’s ventilator contracts with Philips Respironics. Chairman Raja Krishnamoorthi (D-Ill.) has expressed concerns that the White House overpaid by as much as \$504 million, and possibly caused a substantial delay in the acquisition of ventilators. A hearing on the subject is scheduled for September 16.

E&C Dems Investigate COVID-19 in Youths, Insurer COVID Practices

House Energy and Commerce Committee Chair Frank Pallone (D-N.J.), alongside leadership of the Oversight and Health subcommittees, have sent a [letter](#) to Centers for Disease Control and Prevention (CDC) Director Robert Redfield to request a briefing on the impact of COVID-19 on the nation's children and young people. The letter cites CDC data indicating that 270,000 youth have been infected with coronavirus and at least 77 have died. The lawmakers request that a briefing take place by August 25.

Democratic leadership of the panel also announced the launch of an investigation into the practices of health and dental insurers during the COVID-19 pandemic. Lawmakers sent [letters](#) to nine insurance companies requesting information about coverage policies for COVID-19 tests and related items and services. They also ask whether increased profits are being used to provide consumer relief. They request documents and answers to a series of questions by August 27.

Lawmakers Probe Impact of COVID-19 on Overdose Trends

Bipartisan leadership of the House Energy and Commerce Committee have [written](#) to U.S. Department of Health and Human Services (HHS) Secretary Alex Azar regarding concerns about the impact that COVID-19 has had on the substance use disorder and overdose crisis also taking place across the nation. The letter refers to data from the Washington Post that indicates an increase of 18 percent in suspected overdoses compared to last year. They ask that the Secretary brief them on the latest overdose trends, whether those trends have been exacerbated by the pandemic, and what actions can be taken to address the current situation.

CMS Announces New Rural Health Models

The Centers for Medicare and Medicaid Services (CMS) announced an initiative last week containing new funding opportunities to increase access and improve quality in rural health care. The Community Health Access and Rural Transformation (CHART) Model is in line with the President's recently issued ***Improving Rural Health and Telehealth Access*** executive order. The voluntary CHART Model will tie payment to value. Providers will have two options to participate: under the Community Transformation Track, up to 15 rural communities will have the opportunity to receive an upfront investment to implement care delivery reform, provide capitated payments, and take advantage of operational and regulatory flexibilities such as telehealth expansion. It would also allow participant hospitals to waive cost-sharing for certain Part B services and to provide transportation support and gift cards for chronic disease management. Under the Accountable Care Organization (ACO) Transformation Track, rural health care providers will receive upfront investments to enter into two-sided risk arrangements under the Medicare Shared Savings Program (MSSP) and will have access to all waivers available under that program. The model is designed to save an estimated \$80 million in taxpayer money.

HHS Personnel Announcements

U.S. Department of Health and Human Services (HHS) Chief Information Officer Jose Arrieta announced his resignation on Friday. His office has been the subject of recent scrutiny following the Trump administration's decision to direct hospitals to bypass the Centers for Disease Control and Prevention (CDC) when reporting data on the coronavirus. Arrieta, a career civil servant, has held the position of chief information officer at HHS for a little over a year, and his departure was unexpected.

Kyle McGowan, chief of staff at the Centers for Disease Control and Prevention (CDC), and Amanda Campbell, CDC deputy chief of staff, jointly announced their departure from the agency on Friday. The pair plan to start their own consulting business. Both McGowan and Campbell have been at the CDC since the start of the Trump administration.

DOD Considers Cut to Military Health Care

Secretary of Defense Mark Esper is proposing a \$2.2 billion cut to the military health system over the next five years as a part of an effort to eliminate inefficiencies within the Department of Defense. Senior defense officials have raised concerns that the funding reduction will negatively impact health care for military personnel and their families in the midst of the COVID-19 pandemic, while Esper argues that the U.S. private civilian health care system can help absorb the loss. The military health system currently serves approximately 9.5 million active duty personnel, military retirees, and their dependents.

Hart Health Strategies COVID-19 Resources

Hart Health Strategies Inc. continues to update the following resources related to the coronavirus pandemic. Please remember to clear your cache to ensure you download the most recent documents.

- [COVID-19 Testing](#)
- [Disaster Primer](#)
- [Federal Relief Overview](#)
- [Health Care Workers on the Front Lines](#)
- [Hospice and Palliative Care](#)
- [Nursing Resources](#)
- [Personal Protective Equipment](#)
- [Physician Provisions](#)
- [Re-Opening America](#)
- [Small Business Resources](#)
- [Small Business - Paycheck Protection Program](#)
- [Small Business – PPP FAQ](#)
- [State Resources](#)
- [Tax Provisions](#)
- [Telehealth Overview](#)
- [Timeline for Implementation](#)

Recently Introduced Health Legislation

H.Res.1079 — Expressing support for the designation of August 9 through 15, 2020, as National Health Center Week and encourages all Americans to take part in this week by visiting their local health center and celebrating the important partnership between America’s community health centers and the communities they serve; Sponsor: Rep. Engel, Eliot L. [D-NY-16] (Introduced 08/07/2020); Committees: House - Oversight and Reform

H.R.7948 — To amend the Public Health Service Act with respect to the collection and availability of health data with respect to Indian Tribes, and for other purposes; Sponsor: Rep. Gianforte, Greg [R-MT-At Large]; Committees: House - Energy and Commerce

H.R.7956 — To amend title 17, United States Code, to address circumvention of copyright protection systems with respect to the maintenance or repair of critical medical infrastructure, and for other purposes; Sponsor: Rep. Clarke, Yvette D. [D-NY-9]; Committees: House - Judiciary; Energy and Commerce

H.R.7958 — To grant the authority for States to enter into interstate compacts or agreements for the purpose of procuring COVID-19 tests; Sponsor: Rep. Craig, Angie [D-MN-2]; Committees: House - Judiciary; Energy and Commerce; Budget

H.R.7961 — To amend title XIX of the Social Security Act to encourage State Medicaid programs to provide community-based mobile crisis intervention services, and for other purposes; Sponsor: Rep. DeFazio, Peter A. [D-OR-4]; Committees: House - Energy and Commerce

H.R.7964 — To direct the Secretary of Veterans Affairs to carry out education programs and peer support programs for family members and caregivers of veterans with mental health disorders; Sponsor: Rep. Finkenauer, Abby [D-IA-1]; Committees: House - Veterans' Affairs

H.R.7971 — To direct the Food and Drug Administration to solicit and consider the recommendations of the Vaccines and Related Biological Products Advisory Committee before taking certain actions with respect to COVID-19 vaccines, and for other purposes; Sponsor: Rep. Krishnamoorthi, Raja [D-IL-8]; Committees: House - Energy and Commerce

H.R.7989 — To direct the Secretary of Health and Human Services to ensure that countermeasures or products procured for the national strategic stockpile are grown, reprocessed, reused, or produced in the United States, and for other purposes; Sponsor: Rep. Trone, David J. [D-MD-6]; Committees: House - Energy and Commerce

H.R.7992 — 116th Congress (2019-2020); To expand access to telehealth services, and for other purposes; Sponsor: Rep. Wagner, Ann [R-MO-2]; Committees: House - Ways and Means; Veterans' Affairs; Judiciary; Energy and Commerce

H.Res.1082 — Expressing the sense of the House that the Department of Justice should defend the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119) and halt its efforts to repeal, sabotage, or undermine health care protections for millions of people in the United States in the midst of the public health emergency relating to the Coronavirus Disease 2019 (COVID-19); Sponsor: Rep. Spanberger, Abigail Davis [D-VA-7]; Committees: House - Judiciary

H.R.7998 — To require the Director of the National Institute of Standards and Technology to disseminate guidance to institutions of higher education and non-profit research institutions to help mitigate cybersecurity risks to COVID-19 related research, and for other purposes; Sponsor: Rep. Barr, Andy [R-KY-6]; Committees: House - Science, Space, and Technology

H.R.7999 — To direct the Secretary of Health and Human Services to receive and respond to notifications of issues relating to the lack of personal protective equipment and COVID-19 testing; Sponsor: Rep. Beyer, Donald S., Jr. [D-VA-8]; Committees: House - Energy and Commerce

H.R.8005 — To direct the Secretary of Veterans Affairs to carry out a pilot program to provide veterans access to computerized cognitive behavioral therapy; Sponsor: Rep. Golden, Jared F. [D-ME-2]; Committees: House - Veterans' Affairs

H.R.8010 — To amend the Public Health Service Act to clarify that the Secretary of Health and Human Services shall lead all Federal public health and medical response to emergencies and disasters declared by the President pursuant to the National Emergencies Act or the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes; Sponsor: Rep. Hudson, Richard [R-NC-8]; Committees: House - Transportation and Infrastructure; Energy and Commerce; Homeland Security

H.R.8017 — To direct the Secretary of Health and Human Services to award grants to eligible entities to establish, improve, and maintain mobile testing programs for SARS-CoV-2 and COVID-19, and for other purposes; Sponsor: Rep. Mucarsel-Powell, Debbie [D-FL-26]; Committees: House - Energy and Commerce

H.R.8020 — To impose an emergency tax on the increase in wealth of billionaires during the COVID-19 pandemic in order to pay for all of the out of pocket healthcare expenses of the uninsured and under-insured, including prescription drugs, for one year; Sponsor: Rep. Omar, Ilhan [D-MN-5]; Committees: House - Ways and Means; Veterans' Affairs; Natural Resources; Energy and Commerce; Oversight and Reform; Armed Services

H.R.8025 — To amend title XVIII of the Social Security Act to clarify the application of the 15 mile secondary road distance requirement with respect to previously designated critical access hospitals under the Medicare program; Sponsor: Rep. Stefanik, Elise M. [R-NY-21]; Committees: House - Ways and Means

H.R.8027 — To improve the public health response to addressing maternal mortality and morbidity during the COVID-19 public health emergency; Sponsor: Rep. Underwood, Lauren [D-IL-14]; Committees: House - Natural Resources; Energy and Commerce; Education and Labor

S.4524 — A bill to amend titles XIX and XXI of the Social Security Act to provide coverage of comprehensive tobacco cessation services under such titles, and for other purposes; Sponsor: Sen. Carper, Thomas R. [D-DE]; Committees: Senate - Finance

S.4525 — A bill to ensure that health care providers do not incur additional Federal income tax liability due to receipt of assistance through the Provider Relief Fund during the COVID-19 pandemic; Sponsor: Sen. Blackburn, Marsha [R-TN]; Committees: Senate - Finance

S.4526 — A bill to ensure that COVID-19 related Federal programs and assistance provide for the translation of informational materials relating to awareness, screening, testing, and treatment for COVID-19 into priority languages; Sponsor: Sen. Hirono, Mazie K. [D-HI]; Committees: Senate - Health, Education, Labor, and Pensions