



# Health Policy Briefing

November 30, 2020

## GSA Ascertains Biden as Election Winner

General Services Administration (GSA) Administrator Emily Murphy has ascertained Joe Biden as the winner of the U.S. presidential election and that the agency is prepared to make transition resources available to the President-elect. The GSA ruling officially jumpstarts the transition process and provides Biden with access to current agency officials, briefing materials, government resources, and \$6 million in funding. Biden will also now have access to the current administration's coronavirus vaccine distribution plans. The Biden-Harris transition [website](#) was quickly changed to a .gov domain. GSA's decision followed the Michigan Board of State Canvassers vote to certify the state's election results. Biden's transition team has already been in touch with both U.S. Department of Health and Human Services (HHS) Secretary Alex Azar and National Institute of Allergy and Infectious Diseases (NIAID) Director Anthony Fauci. President Trump continues to pursue legal challenges to the November election, though these legal fights have yet to yield any results. The President stated last week that he would leave the White House if the Electoral College affirms Biden's victory, but that he may never formally concede the election and could potentially skip the inauguration in January. Each state's electors will vote on December 14, and certificates recording the electoral vote results must be received by the Senate no later than December 23.

## Appropriators Reach Deal on Top Line Spending Limits

House and Senate appropriators have reached a deal on funding levels that clears the way for an omnibus spending bill to fund the federal government for the rest of the fiscal year. The agreement will help avoid a government shutdown on December 11, when the current continuing resolution (CR) expires. The deal establishes totals – known as 302(b)s – for the 12 individual appropriations bills that will be combined into a single omnibus measure. Appropriators will not release the spending figures until a bipartisan, bicameral package is finalized. It remains unclear whether the \$1.4 trillion omnibus will include any coronavirus stimulus relief, but the deal does suggest that the previous hold up related to funding for the Department of Veterans Affairs has been addressed.

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### ***Changes Made to House December Calendar***

Majority Leader Steny Hoyer (D-Md.) has announced changes to the schedule for the House of Representatives' December work period. He encouraged members to remain in Washington following votes on Friday as bills including government funding, coronavirus relief, and the National Defense Authorization Act (NDAA) will be considered as soon as they are ready. Conversations on such measures are ongoing. The House may complete its legislative business early in the week of December 7.

### ***Senators Ask Leadership to Address Fee Schedule Budget Neutrality Cuts***

Sens. Steve Daines (R-Mont.), John Boozman (R-Ark.), Debbie Stabenow (D-Mich.), and Robert Menendez (D-N.J.) are circulating a sign-on letter to Senate leadership urging them to address forthcoming physician payment cuts in future legislative negotiations. The lawmakers argue that the statutory budget neutrality rule, which would result in pay increases for office-based specialties but across-the-board pay cuts for other medical specialties, would jeopardize patient access to medically necessary services at a time when the health care system is already strained because of the COVID-19 pandemic.

### ***Oversight Panel Calls For Testimony From Purdue***

House Oversight Committee Chair Carolyn Maloney (D-N.Y.) is [requesting](#) the CEO of Purdue Pharma and members of the Sackler family testify before her panel on their role in the opioid epidemic. “Even after entering into a settlement with the Department of Justice (DOJ) in 2007 on charges of misbranding,” Maloney writes, “your company continued to recklessly market OxyContin, despite knowledge of the medication’s potential for misuse.” The hearing is scheduled to be held remotely on December 8 at 10:00 a.m.

### ***ACS and Other Partners Update Guidance on Postponing Elective Surgeries***

In light of record-breaking COVID cases and additional cases likely due to Thanksgiving travel, hospitals have, once again, begun putting restrictions on elective surgeries. Many hospitals — from Cleveland Clinic, to Mayo Clinic facilities in Wisconsin and Minnesota, to Advocate Aurora Health in Illinois, to St. Luke’s Health System in Idaho UW Medicine in Seattle, UofL Health in Louisville, Kentucky, and more Mercy Health locations— have enacted volume restrictions, rescheduled cases, or outright stopped scheduling cases that required an overnight stay. The alarming rise in COVID-19 cases prompted [updated guidance](#) from the American College of Surgeons (ACS), the American Hospital Association as well as the Association of periOperative Nurses (AORN) and American Society of Anesthesiologists on maintaining surgeries during the pandemic, an outline [originally put out in April](#).

## 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](#)

## Upcoming Congressional Hearings and Markups

*Senate Banking, Housing, and Urban Affairs Committee hearing “The Quarterly CARES Act Report to Congress;” 10:00 a.m., 106 Dirksen Bldg.; December 1*

*House Veterans’ Affairs Committee hearing “A Time for Change: Assessing the Need to Modernize Veteran Eligibility for Care;” 10:00 a.m., 210 House Visitors Center; December 2*

*Senate Homeland Security and Governmental Affairs Subcommittee on Federal Spending Oversight and Emergency Management hearing to examine state and local cybersecurity, focusing on defending our communities from cyber threats amid COVID-19; 2:30 p.m., 342 Dirksen Bldg.; December 2*

## Recently Introduced Health Legislation

*H.Res.1237 — Supporting the goals and ideals of American Diabetes Month; Sponsor: Rep. DeGette, Diana [D-CO-1]; Committees: House - Energy and Commerce*

*H.Res.1238 — Expressing the sense of the House of Representatives regarding prioritizing the COVID-19 vaccine for members of the military; Sponsor: Rep. DesJarlais, Scott [R-TN-4]; Committees: House - Energy and Commerce*

*H.R.8811 — To initiate an inquiry and report on COVID-19 data quality, sharing, transparency, access, and analysis and develop a process to correct inaccurate information reported with respect to the COVID-19 public health emergency, and for other purposes; Sponsor: Rep. Finkenauer, Abby [D-IA-1]; Committees: House - Energy and Commerce*