



## McDermottPlus Check-Up: August 20, 2021

McDermott+Consulting is pleased to provide the McDermottPlus Check-Up, your regular update on health care policy from Washington, DC.



**This Week's Dose:** The House is set to return from recess for a procedural vote on three major legislative measures. Biden requires vaccines for nursing home workers and announces boosters in September.

### Congress

- + **Speaker Pelosi Charted Out New Plan for Moving Infrastructure Packages.** Last week, on the heels of passing a \$1.2 trillion bipartisan infrastructure package, the Senate advanced the \$3.5 trillion FY 2022 budget resolution for the partisan “human infrastructure package” on a party-line vote. The budget resolution is the framework that outlines the spending and savings numbers that the various House and Senate Committees are required to work within to develop the partisan “human infrastructure” legislation. For months, House Speaker Nancy Pelosi (D-CA) maintained that she would not hold a vote on the bipartisan infrastructure bill in the House until the Senate had also passed the partisan human infrastructure legislation to guarantee that Democratic priorities on childcare, education and healthcare were addressed. However, a group of nine moderate House Democrats complicated the Speaker’s strategy last week when they issued a statement that they would not vote on the partisan budget resolution until the House addressed the bipartisan infrastructure bill. The Speaker would be right to worry that if the bipartisan infrastructure bill is enacted, she and Senator Schumer will lose leverage viewed as necessary to advance the much bigger partisan package. With hardly any votes to spare, Speaker Pelosi has asked the House Committee on Rules to assess a new strategy using procedural votes to align the differences across her party. The Rules Committee will meet at 11:00 a.m. on Monday to make recommendations that could set up the House to have a full vote Tuesday on the partisan budget resolution. The Speaker is not expected to bring a vote for the bipartisan infrastructure package until significant progress is made on human infrastructure, which will likely not be until later this fall.

### Administration

- + Centers for Medicare and Medicaid Services (CMS) Extended Window for Post-Public Health Emergency (PHE) Medicaid Eligibility Redeterminations. Medicaid and CHIP enrollment surged during the COVID-19 pandemic as Congress passed legislative provisions aimed at ensuring individuals could access and retain health insurance. These provisions included continuous eligibility requirements that prevented individuals from losing coverage through the duration of the PHE. Following a push from Medicaid advocates, a [letter](#) from Daniel Tsai, Director of the Center for Medicaid and CHIP Services, announced that states would now have up to 12 months to reassess their Medicaid enrollees for ongoing eligibility following the end of the PHE. This policy doubles the initial six-month window granted by the Trump Administration and seeks to support states and millions of new enrollees.



- + **Biden Administration Mandated COVID-19 Vaccines for Nursing Homes and Recommended Boosters.** As public health officials learn more about the Delta variant and the number of COVID-19 cases continue to increase, the Biden Administration [announced](#) this week that the Department of Health and Human Services would be issuing regulations that would condition nursing home participation in Medicare and Medicaid on having workers vaccinated. Nursing homes were hit especially hard by COVID-19 and their workforce represents about 1.6 million individuals, according to a White House [fact sheet](#) on the new vaccine policies. However, these facilities already struggle with staffing, and industry members are concerned this will exacerbate the existing labor shortages.
- + The nursing home mandate comes alongside an announcement that booster shots of the COVID-19 vaccine will be available beginning September 20. The Centers for Disease Control and Prevention [announced](#) that its Advisory Committee on Immunization Practices will meet August 30-31 to review information and make a final recommendation on the administration of boosters, while the U.S. Food and Drug Administration (FDA) will be evaluating booster shot data ahead of the September 20 date. The White House stated that vaccine supply is not an issue for the booster shots and that it will continue to support global vaccine donations. The FDA has not yet granted full approval to any COVID-19 vaccine, though the agency is expected to do so for the Pfizer-BioNTech vaccine in early September.

## Quick Hits

- + After recently releasing the 2020 Merit-Based Incentive Payment System (MIPS) performance scores that impact 2022 payment adjustment, CMS said that, due to a technical error, it would be recalculating scores, a change that could impact some MIPS participants. The agency has also noted that due to COVID flexibilities many participants will be receiving a neutral payment adjustment for 2022.
- + According to a Peterson-Kaiser Family Foundation [Report](#), hospital admissions and spending remained below expectations in early 2021.
- + Health Resources and Services and Administration [distributed](#) 36 grants to rural and underserved communities for telehealth investment, totaling \$19 million.
- + FDA [issued](#) the 2020 report on pharmaceutical quality following a year of delayed inspections.
- + CMS leadership [released](#) "Innovation at The Centers For Medicare and Medicaid Services: A Vision For The Next 10 Years."
- + Centers for Medicare and Medicaid Innovation (CMMI) [released](#) updated findings on the Bundled Payments for Care Improvement Models, finding reduced fee for service payments, but net losses overall under 2 of the 3 models.
- + CMMI also [published](#) its Fourth Annual Evaluation of the Home Health Value-Based Purchasing Model, finding that the model continues to realize savings for Medicare.



- + The Biden Administration [increased](#) Supplemental Nutrition Assistance Program benefits by about \$36 per person, per month.

## M+ Resources

- + On this week's [Health Policy Breakroom Podcast](#), Debbie Curtis and Meg Gilley discuss the voting roadmap for major legislation up for consideration in the House next week.

**NEXT WEEK'S DIAGNOSIS:** The House returns next week to vote on a rule to advance the bipartisan infrastructure bill.



For more information, contact [Aaron Badida](#), [Mara McDermott](#), [Kristen O'Brien](#) and [Katie Waldo](#).

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