



Health Policy Briefing

June 1, 2021

WH Releases Complete FY22 Budget

President Joe Biden released his first full budget request on Friday. The fiscal year (FY) 2022 budget would increase federal spending to \$6 trillion in the coming year, with annual deficits of approximately \$1.3 trillion over the next decade. The proposal predicts that the economy will grow at an annual rate of just under 3% for the next decade. The budget request includes a 16.5% increase in nondefense spending and an increase of 1.6% for defense spending. The overall budget can be found [here](#) and the U.S. Department of Health and Human Services' (HHS) Budget in Brief can be found [here](#).

For HHS, the budget includes a total of \$133.7 billion -- a 23.4% increase over FY 2021. Funding increases were included for the Office of Civil Rights, which would receive \$430 million, the Office of the Inspector General, which would receive \$430 million, and the Centers for Medicare and Medicaid Services (CMS), whose discretionary funding would total \$4.3 billion. The Food and Drug Administration (FDA) would receive \$6.5 billion, a \$477 million increase, including \$3.6 billion in discretionary funding and \$2.9 billion in user fees. The budget proposes to increase the maximum fees for certificates required to export products and to decrease tax credits for rare disease drug research from 50% to 25%. It would also allow the FDA to collect user fees from e-cigarette companies. The National Institutes of Health (NIH) would receive a total of \$52 billion, a \$9 billion increase. This budget increase includes \$6.5 billion for the creation of the President's proposed Advanced Research Projects Agency for Health (ARPA-H). The Centers for Disease Control and Prevention (CDC) and the Agency for Toxic Substances and Disease Registry would see a total spending level of \$8.7 billion, a \$1.6 billion increase.

The Biomedical Advanced Research and Development Authority's (BARDA) budget would increase \$227 million for a total of \$823 million, and \$905 million is requested for the Stockpile, an increase of \$200 million.

As previously reported, the White House budget does not include proposals to reduce prescription drug prices, strengthen the Affordable Care Act (ACA) and Medicare or Medicaid coverage, or create a public health insurance option.

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According to Deputy Director of the Office of Management and Budget (OMB) Shalanda Young, the White House believes “that it is more productive to work collaboratively with Congress to develop and build consensus around specific policies” to achieve the President’s goals in these areas.

The President’s budget will serve as a blueprint for Congressional Democrats working to write FY22 spending bills. After receiving the White House proposal on Friday, House Budget Chairman John Yarmuth (D-Ky.) said that House Democrats will immediately commence work on a budget resolution. Senate Appropriations Chairman Patrick Leahy (D-Vt.) has called for jumpstarting bipartisan, bicameral talks in early June on top-line spending figures.

HELP, E&C Begin Work on Public Health Insurance Option

Senate Health, Education, Labor, and Pensions (HELP) Committee Chair Patty Murray (D-Wash.) and House Energy and Commerce Committee Chair Frank Pallone (D-N.J.) are seeking input as they begin work to draft a public option health care plan. “Our goal in establishing a federally administered public option is to work towards achieving universal coverage, while making health care simpler and more affordable for patients and families,” the lawmakers [state](#). They ask for input on who should be eligible to join a government-run plan, how to structure its benefits, and how to maintain a network of doctors. The letter requests that responses be submitted by July 31. The lawmakers plan to have a bill drafted by the end of this year. To date, Washington is the only state to provide a public option. Nevada and Colorado are considering legislation to create a public option in their states.

NIH Director Collins Provides Details on ARPA-H

Director of the National Institutes of Health (NIH) Francis Collins offered more details on the President’s proposed Advanced Research Projects Agency for Health (ARPA-H) during congressional hearings last week. Collins stated that the emerging technologies agency, which will be housed within NIH, will not detract from the NIH’s existing research portfolio, though some existing programs, such as the National Center for Advancing Translational Sciences’ (NCAT) Cures Acceleration Network (CAN), may be folded into the new agency. The White House’s budget proposal included \$6.5 billion for the NIH to establish ARPA-H. Collins stressed that ARPA-H could build on lessons learned during the COVID-19 pandemic and “how it’s possible when there’s an urgent sense of the need for clinical advances to happen at unprecedented speed.”

Senate Confirms CMS, OSTP Leaders

The Senate voted last week on the confirmation of Chiquita Brooks-LaSure to serve as Administrator of the Centers for Medicare and Medicaid Services (CMS). Brooks-LaSure was confirmed in a 55-44 vote after consideration of her nomination was delayed due to Republican opposition to the Biden administration’s revocation of a Texas Medicaid waiver extension that required the nominee to clear additional procedural hurdles. Five Republicans ultimately joined Democrats in supporting the confirmation of Brooks-LaSure: Sens. Roy Blunt (Mo.), Richard Burr (N.C.), Susan Collins (Maine), Jerry Moran (Kan.), and Lisa Murkowski (Alaska). Brooks-LaSure is a former Obama administration health official who helped implement the Affordable Care Act (ACA) while serving as deputy director for policy at the Center for Consumer Information and Insurance Oversight (CCIIO). She also chaired President Joe Biden’s health transition team. Earlier in her career, she was a staffer for the House Ways and Means Committee where she helped to draft the ACA while working with HHS Secretary Xavier Becerra, who served on the panel during his time in Congress. She will be the first Black woman to lead CMS.

The Senate also confirmed Eric Lander to lead the White House Office of Science and Technology Policy (OSTP) by voice vote last week. President Joe Biden elevated the OSTP to Cabinet level, making Lander the final member of the President’s Cabinet to be confirmed. Lander previously co-chaired the Council of Advisors on Science and Technology during the Obama administration. He faced criticism during his confirmation process for allegations that he downplayed the contributions of female scientists and has since pledged to focus on the issue of diversity in science in his new position.

Support Grows For Investigating COVID-19 Origins

The Senate passed the **COVID-19 Origin Act** (S.1867) last week by unanimous consent. The bill would require the Biden administration to declassify intelligence related to any potential links between the Wuhan Institute of Virology and the origins of the COVID-19 pandemic. The President announced last week that he has asked U.S. intelligence agencies to “redouble their efforts” to collect and analyze information that could lead to a definitive conclusion on the origins of the coronavirus pandemic.

Schumer Previews June Work Agenda

Senate Majority Leader Chuck Schumer (D-N.Y.) outlined his agenda for the coming month in a Dear Colleague letter last week. When the Senate reconvenes on June 7, Democrats will seek to pass the **Paycheck Fairness Act** (H.R. 7) and to begin confirmation of President Joe Biden’s judicial nominees. The chamber may also consider gun safety and LGBTQ equality legislation and vote on the **For the People Act** (S. 1). Schumer notes that committees will also continue their work on the administration’s Build Back Better economic agenda during the June work period.

HELP Advances Maternal, Mental Health Bills

The Senate Health, Education, Labor, and Pensions (HELP) Committee advanced six pieces of bipartisan legislation last week aimed at improving maternal and mental health care. The bills included:

- **The Maternal Health Quality Improvement Act** (S.1675),
- **The Rural Maternal and Obstetric Modernization of Services (MOMS) Act** (S.1491),
- **The Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act** (S.1658),
- **The Dr. Lorna Breen Health Care Provider Protection Act** (S.610),
- **The Supporting the Foundation for the National Institutes of Health and the Reagan-Udall Foundation for the Food and Drug Administration Act** (S.1662), and
- **The Promoting Physical Activity for Americans Act** (S.1608).

Chairwoman Patty Murray (D-Wash.) stated that she will be pushing to get these bills passed into law as soon as possible.

Burr Releases Policy Brief on CDC Pandemic Response

Senate Health, Education, Labor, and Pensions (HELP) Committee Ranking Member Richard Burr (R-N.C.) released a new policy brief last week on the Centers for Disease Control and Prevention’s (CDC) pandemic response and making recommendations for agency reform. [***Modernizing CDC: Ensuring a Strategic Approach and Improving Accountability***](#) is the first in a series of briefs on the federal government’s pandemic preparedness, response, and recovery efforts. The first policy brief makes the following recommendations:

- CDC needs strong, effective leadership to lead cultural change at the agency, ensuring its scientific integrity and relationship with the public as a trusted source for public health information are preserved.
- CDC needs a strategic plan to guide and prioritize the agency’s work to align with strategically set goals and include accompanying performance measures.
- CDC must keep pace with scientific advancement and better fulfill its mission to protect the public health during future responses by developing more frequent and effective partnerships with private industry and academic institutions.

Georgia Senators Push for Closing Medicaid Coverage Gap

Sens. Raphael Warnock (D-Ga.) and Jon Ossoff (D-Ga.) have sent a [letter](#) to Senate leadership encouraging them to use the President's proposed infrastructure package to expand Medicaid in the states that have not yet done so. "Closing the coverage gap and providing more Americans with quality, affordable health care coverage is the most effective policy to reduce racial and ethnic health disparities and would be a major step towards decreasing the high rates of uninsured Americans in non-expansion states," the lawmakers write. They note that they are currently working on legislation to provide health coverage to those living in non-expansion states, and suggest that closing the coverage gap could be done by creating a federal Medicaid look-alike program that is run through the Centers for Medicare and Medicaid Services (CMS).

Duckworth Requests More Guidance on Mask Usage

Sen. Tammy Duckworth (D-Ill.) has sent a [letter](#) to Centers for Disease Control and Prevention (CDC) Director Rochelle Walensky requesting recommendations on the usage of masks in school, child care, camp, and sports settings. The lawmaker argues that this guidance is particularly important for parents, caregivers, and people with compromised immune systems. "Though young people are not as likely as seniors or people with certain pre-existing conditions to become severely ill or die from COVID-19, their health is still at risk," Duckworth writes. "Children now account for over 20% of COVID-19 cases in the U.S., and several hundred have died. That risk can be mitigated by ubiquitous mask wearing." On Friday, the CDC updated its [guidance](#) for youth camps.

Panels Begin Return to Pre-Pandemic Proceedings

The Senate Health, Education, Labor, and Pensions (HELP) Committee and the Senate Appropriations Committee are expected to return to pre-pandemic hearing proceedings following the Memorial Day recess. Senators and witnesses will attend in-person, and individuals who are vaccinated can forgo the wearing of masks. The panels are expected to maintain six feet of distance between people during hearings. Congressional committees each create their own operating rules and regulations; Senate Finance Committee Chair Ron Wyden (D-Ore.) has said that his panel will continue holding hybrid hearings for the time being.

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.

- [Disaster Primer](#)
- [Federal Relief Overview](#)
- [Hospice and Palliative Care](#)
- [Nursing Resources](#)
- [Personal Protective Equipment](#)
- [Physician Provisions](#)
- [Re-Opening America](#)
- [Small Business Resources](#)
- [Small Business - Paycheck Protection Program](#)
- [State Resources](#)
- [Tax Provisions](#)
- [Telehealth Overview](#)
- [Testing](#)
- [Vaccines](#)

Upcoming Congressional Hearings and Markups

House Appropriations Subcommittee on the Departments of Labor, Health and Human Services, Education, and Related Agencies Member Day hearing; 10:00 a.m., June 9

Senate Environment and Public Works Committee hearing “PFAS: the View from Affected Citizens and States;” 10:00 a.m.; June 9

House Homeland Security Committee hearing “Cyber Threats in the Pipeline: Using Lessons from the Colonial Ransomware Attack to Defend Critical Infrastructure;” 12:00 p.m.; June 9

House Energy and Commerce Subcommittee on Health legislative hearing “Legislation to Promote Access to Safe Vaccines;” time TBD; June 15

Recently Introduced Health Legislation

H.R.3461 — To amend title XXVII of the Public Health Service Act to improve health care coverage under vision and dental plans, and for other purposes; Sponsor: Rep. Clarke, Yvette D. [D-NY-9]; Committees: House - Energy and Commerce

H.R.3463 — To amend the Public Health Service Act to authorize the use of the Strategic National Stockpile to enhance medical supply chain elasticity and establish and maintain domestic reserves of critical medical supplies, and for other purposes; Sponsor: Rep. Dingell, Debbie [D-MI-12]; Committees: House - Energy and Commerce

H.R.3467 — To amend the Public Health Service Act to direct the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to support research and programmatic efforts that will build on previous research on the effects of, adverse childhood experiences; Sponsor: Rep. McBath, Lucy [D-GA-6]; Committees: House - Energy and Commerce

H.R.3468 — To amend the CARES Act to expand a national awareness and outreach campaign to address the importance and safety of plasma donation, and for other purposes; Sponsor: Rep. Peters, Scott H. [D-CA-52]; Committees: House - Energy and Commerce

S.Res.231 — A resolution expressing support for the designation of May 17, 2021, as “DIPG Pediatric Brain Cancer Awareness Day” to raise awareness of and encourage research on diffuse intrinsic pontine glioma tumors and pediatric cancers in general; Sponsor: Sen. Rubio, Marco [R-FL]; Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

S.1793 — A bill to amend title XXVII of the Public Health Service Act to improve health care coverage under vision and dental plans, and for other purposes; Sponsor: Sen. Manchin, Joe, III [D-WV]; Committees: Senate - Health, Education, Labor, and Pensions

S.1795 — A bill to address mental health issues for youth, particularly youth of color, and for other purposes; Sponsor: Sen. Menendez, Robert [D-NJ]; Committees: Senate - Health, Education, Labor, and Pensions

S.Res.235 — A resolution designating May 15, 2021, as “National MPS Awareness Day”; Sponsor: Sen. Bennet, Michael F. [D-CO]; Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

S.1797 — *A bill to amend the Indian Health Care Improvement Act to expand the funding authority for renovating, constructing, and expanding certain facilities; Sponsor: Sen. Padilla, Alex [D-CA]; Committees: Senate - Indian Affairs*

S.1798 — *A bill to provide for strategies to increase access to telehealth under the Medicaid program and Children's Health Insurance Program, and for other purposes; Sponsor: Sen. Carper, Thomas R. [D-DE]; Committees: Senate - Finance*

S.1804 — *A bill to amend the Public Health Service Act to improve maternal health and promote safe motherhood; Sponsor: Sen. Kaine, Tim [D-VA]; Committees: Senate - Health, Education, Labor, and Pensions*

S.1810 — *A bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes; Sponsor: Sen. Klobuchar, Amy [D-MN]; Committees: Senate - Judiciary*

S.1811 — *A bill to increase the recruitment and retention of school-based mental health services providers by low-income local educational agencies; Sponsor: Sen. Tester, Jon [D-MT]; Committees: Senate - Health, Education, Labor, and Pensions*

S.1813 — *A bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes; Sponsor: Sen. Coons, Christopher A. [D-DE]; Committees: Senate - Health, Education, Labor, and Pensions*

S.1821 — *A bill to amend title XIX of the Social Security Act to provide a consistent standard of health care to incarcerated individuals, and for other purposes; Sponsor: Sen. Booker, Cory A. [D-NJ]; Committees: Senate - Finance*

S.1826 — *A bill to amend titles XIX and XXI of the Social Security Act to require a State child health plan to include coverage of screening blood lead tests, to codify such requirement under the Medicaid program, and for other purposes; Sponsor: Sen. Menendez, Robert [D-NJ]; Committees: Senate - Finance*

H.Res.434 — *Supports the designation of "ALS Awareness Month"; Sponsor: Rep. Crow, Jason [D-CO-6]; Committees: House - Energy and Commerce*

H.Res.436 — *Supporting State, local, and community initiatives to encourage parents, teachers, camp counselors, and childcare professionals to take measures to prevent sunburns in the minors they care for, and expressing the sense of the House of Representatives that State, local, and community entities should continue to support efforts to curb the incidences of skin cancer beginning with childhood skin protection; Sponsor: Rep. Joyce, David P. [R-OH-14]; Committees: House - Energy and Commerce; Education and Labor*

H.R.3470 — *To require the Secretary of Health and Human Services to study State efforts to regulate certain uses of nitrous oxide, and for other purposes; Sponsor: Rep. Torres, Norma J. [D-CA-35]; Committees: House - Energy and Commerce*

H.R.3491 — *To provide for the issuance of a Lyme Disease Research Semipostal Stamp; Sponsor: Rep. Delgado, Antonio [D-NY-19]; Committees: House - Oversight and Reform; Energy and Commerce*

H.R.3496 — *To amend the Indian Health Care Improvement Act to expand the funding authority for renovating, constructing, and expanding certain facilities; Sponsor: Rep. Gallego, Ruben [D-AZ-7]; Committees: House - Natural Resources; Energy and Commerce*

H.R.3505 — *To amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for certain healthcare professionals; Sponsor: Rep. Higgins, Brian [D-NY-26]; Committees: House - Ways and Means*

H.R.3511 — To amend titles XIX and XXI of the Social Security Act to require a State child health plan to include coverage of screening blood lead tests, to codify such requirement under the Medicaid program, and for other purposes; Sponsor: Rep. Katko, John [R-NY-24]; Committees: House - Energy and Commerce

H.R.3512 — To amend title 10, United States Code, to eliminate certain health care charges for members of the Selected Reserve eligible for TRICARE Reserve Select, and for other purposes; Sponsor: Rep. Kim, Andy [D-NJ-3]; Committees: House - Armed Service

H.R.3514 — To amend title XIX of the Social Security Act to provide a consistent standard of health care to incarcerated individuals, and for other purposes; Sponsor: Rep. Kuster, Ann M. [D-NH-2]; Committees: House - Energy and Commerce; Judiciary

H.R.3517 — To amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement; Sponsor: Rep. Larson, John B. [D-CT-1]; Committees: House - Energy and Commerce; Ways and Means

H.R.3518 — To direct the Secretary of State, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs to provide assistance for individuals affected by exposure to Agent Orange, and for other purposes; Sponsor: Rep. Lee, Barbara [D-CA-13]; Committees: House - Veterans' Affairs; Foreign Affairs; Energy and Commerce

H.R.3537 — To direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes; Sponsor: Rep. Quigley, Mike [D-IL-5]; Committees: House - Energy and Commerce

H.R.3541 — To provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes; Sponsor: Rep. Schneider, Bradley Scott [D-IL-10]; Committees: House - Judiciary

H.R.3550 — To amend the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to require group health plans and health insurance issuers offering group or individual health insurance coverage to provide for 3 primary care visits and 3 behavioral health care visits without application of any cost-sharing requirement; Sponsor: Rep. Underwood, Lauren [D-IL-14]; Committees: House - Energy and Commerce; Education and Labor; Ways and Means

H.R.3554 — To amend title XVIII of the Social Security Act to reform requirements with respect to direct and indirect remuneration under Medicare part D, and for other purposes; Sponsor: Rep. Welch, Peter [D-VT-At Large]; Committees: House - Energy and Commerce; Ways and Means

S.1833 — A bill to amend title XIX of the Social Security Act to extend the application of the Medicare payment rate floor to primary care services furnished under Medicaid and to apply the rate floor to additional providers of primary care services; Sponsor: Sen. Brown, Sherrod [D-OH]; Committees: Senate - Finance

S.1841 — A bill to amend the Public Health Service Act to revise and extend projects relating to children and to provide access to school-based comprehensive mental health programs; Sponsor: Sen. Smith, Tina [D-MN]; Committees: Senate - Health, Education, Labor, and Pensions

S.1844 — A bill to amend title XVIII of the Social Security Act to move Medicare cost-sharing benefits from Medicaid to Medicare, and for other purposes; Sponsor: Sen. Casey, Robert P., Jr. [D-PA]; Committees: Senate - Finance

- S.1863 — *A bill to amend title 38, United States Code, to improve access to health care for veterans, and for other purposes; Sponsor: Sen. Moran, Jerry [R-KS]; Committees: Senate - Veterans' Affairs*
- S.Res.253 — *A resolution supporting the designation of May 2021 as "National Cancer Research Month"; Sponsor: Sen. Feinstein, Dianne [D-CA]; Committees: Senate - Health, Education, Labor, and Pensions*
- S.Res.254 — *A resolution expressing support for the designation of May 2021 as "Mental Health Awareness Month"; Sponsor: Sen. Lujan, Ben Ray [D-NM]; Committees: Senate - Health, Education, Labor, and Pensions*
- S.1873 — *A bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests; Sponsor: Sen. Crapo, Mike [R-ID]; Committees: Senate - Finance*
- S.1875 — *A bill to amend title 38, United States Code, to provide a deadline of 180 days for the filing of claims for payment for emergency treatment furnished to veterans, and for other purposes; Sponsor: Sen. Rounds, Mike [R-SD]; Committees: Senate - Veterans' Affairs*
- S.1889 — *A bill to amend the Internal Revenue Code of 1986 to establish an exception to the penalty on early distributions from qualified plans for individuals diagnosed with certain terminal illnesses; Sponsor: Sen. Burr, Richard [R-NC]; Committees: Senate - Finance*
- S.1893 — *A bill to amend title XVIII of the Social Security Act to support rural residency training funding that is equitable for all States, and for other purposes; Sponsor: Sen. Tester, Jon [D-MT]; Committees: Senate - Finance*
- S.1898 — *A bill to ensure medications are affordable; Sponsor: Sen. Smith, Tina [D-MN]; Committees: Senate - Finance*
- S.1902 — *A bill to empower communities to establish a continuum of care for individuals experiencing mental or behavioral health crisis, and for other purposes; Sponsor: Sen. Cortez Masto, Catherine [D-NV]; Committees: Senate - Health, Education, Labor, and Pensions*
- S.1909 — *A bill to amend title XVIII of the Social Security Act to reform requirements with respect to direct and indirect remuneration under Medicare part D, and for other purposes; Sponsor: Sen. Tester, Jon [D-MT]; Committees: Senate - Finance*
- S.1915 — *A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to allow a veteran to receive a full year supply of contraceptive pills, transdermal patches, vaginal rings, and other hormonal contraceptive products; Sponsor: Sen. Duckworth, Tammy [D-IL]; Committees: Senate - Veterans' Affairs*
- S.1916 — *A bill to prohibit the President and the Secretary of Health and Human Services from declaring certain emergencies or disasters for the purposes of imposing gun control; Sponsor: Sen. Braun, Mike [R-IN]; Committees: Senate - Judiciary*
- S.1937 — *A bill to require the Secretary of Veterans Affairs to establish a pilot program to furnish doula services to veterans; Sponsor: Sen. Booker, Cory A. [D-NJ]; Committees: Senate - Veterans' Affairs*
- S.1943 — *A bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement; Sponsor: Sen. Collins, Susan M. [R-ME]; Committees: Senate - Finance*