



Health Policy Briefing

June 6, 2022

Congress Returns from Memorial Day Recess

Lawmakers will return from Memorial Day recess this week, with the Senate scheduled to reconvene today and hold a procedural vote on a House-passed bill ([H.R. 3967](#)) to improve health care and benefits for veterans exposed to toxic substances. The House of Representatives returns on Tuesday. The House plans to vote on a gun-control package advanced by the Judiciary Committee last week (the *Protecting Our Kids Act*) and a separate bill to implement a nationwide extreme risk – or red flag – law (both bills discussed further below). Lawmakers will also hope to kick off work on the fiscal year 2023 defense authorization ([H.R. 7900](#)) this week. The next coronavirus response package remains stalled, with Senate Majority Leader Chuck Schumer (D-N.Y.) stating that he is waiting for House Democrats and Senate Republicans to reach an agreement on how the package should be paid for.

Lawmakers Continue Gun Control Debate

Health care provider organizations – including the American Medical Association (AMA), American Hospital Association, Federation of American Hospitals, National Medical Association, and American College of Surgeons – are calling on Congress to pass bipartisan legislation to curb gun violence. Their advocacy follows the latest mass shooting in Tulsa, Oklahoma where a man killed four people, including his surgeon, at a local medical center on a hospital campus. According to local police, the shooter was motivated by his disappointment with his recent back surgery. The AMA endorsed the *Protecting Our Kids Act* ([H.R. 7910](#)), which was cleared by the House Judiciary Committee last week in a 25-19 party-line vote. The package combines several gun-safety measures, including provisions that would raise the legal age of purchase for some semi-automatic rifles, address gun trafficking, establish safety requirements for the residential storage of firearms, and ban bump stocks and high-capacity magazines. The bill is unlikely to gain traction in the evenly divided Senate, where a bipartisan group of lawmakers is negotiating other gun violence measures with a greater potential to gain the support of at least 10 Republicans.

The House of Representatives will vote on the *Protecting Our Kids Act* when the chamber reconvenes for the June work period this week. House leadership had previously announced

Inside

Republican Healthy Future Task Force Releases Modernization Recommendations.....	2
2022 Medicare Trustees Report.....	2
White House Announces New Office of Environmental Justice.....	3
NSC Director Move to USAID.....	3
EUA of COVID-19 Vaccines for Young Children Expected June 21.....	3
Upcoming Congressional Hearings and Markups.....	4
Recently Introduced Health Legislation.....	4

plans to also take up separate red-flag legislation introduced by Rep. Lucy McBath (D-Ga.) that would allow federal courts to grant petitions from family members and law enforcement officers to temporarily remove firearms from individuals who pose an extreme risk to themselves or others. House Speaker Nancy Pelosi (D-Calif.) has stated that an assault-style weapons ban is also under consideration. President Joe Biden called for a ban on sales of assault weapons and high-capacity magazines in a prime-time address from the White House last week.

Republican Healthy Future Task Force Releases Modernization Recommendations

The Modernization Subcommittee of the House GOP's Healthy Future Task Force released its [solutions](#) to harness technological innovations to improve Americans' lives and save taxpayer dollars last week. The proposals aim to expand access to innovative healthcare technologies, including telehealth, and utilize software to reduce fraud, waste, and abuse in the healthcare system. The solutions propose to:

- Safeguard and maintain expanded telehealth access after the COVID-19 public health emergency declaration expires;
- Crackdown on fraud, waste, and abuse by incentivizing states to go after improper payments and utilizing state-of-the-art technology; and
- Expand access to innovative, patient-centered technologies to improve patients' well-being.

The Healthy Future Task Force was established by Minority Leader Kevin McCarthy (R-Calif.) in June 2021 to lower costs, keep Americans healthy, develop better therapies and cures, and provide Americans with more health care choices.

2022 Medicare Trustees Report

The U.S. Department of the Treasury released its annual [Medicare Trustees Report](#) last week. The Trustees Report includes information about the current operation of the Medicare program and an outlook on the projected financial condition of the program. The Hospital Insurance (HI) Trust Fund will be able to pay scheduled benefits until 2028, two years later than reported last year. At that time, the fund's reserves will become depleted and continuing total program income will be sufficient to pay 90% of total scheduled benefits. The Supplementary Medical Insurance (SMI) Trust Fund is adequately financed into the indefinite future because current law provides financing from general revenues and beneficiary premiums each year to meet the next year's expected costs. The report indicates that Medicare costs will continue to grow faster than GDP through the late 2070s because of projected increases in the volume and intensity of services provided. For the sixth consecutive year, the Trustees are issuing a determination of projected excess general revenue Medicare funding, as is required by law whenever annual tax and premium revenues of the combined Medicare funds will be below 55% of projected combined annual outlays within the next seven fiscal years. Under the law, two such consecutive determinations of projected excess general revenue constitute a "Medicare funding warning." Under current law and the Trustees' projections, such determinations and warnings will recur every year through the 75-year projection period. The Trustees state their current assumption that the COVID-19 pandemic will have no net effect on their long-range projections. The report concludes that lawmakers have many policy options that would reduce or eliminate the long-term financing shortfalls in Medicare, stating that "taking action sooner rather than later will allow consideration of a broader range of solutions and provide more time to phase in changes so that the public has adequate time to prepare."

White House Announces New Office of Environmental Justice

The Biden administration announced the establishment of an Office of Environmental Justice (OEJ) within the U.S. Department of Health and Human Services (HHS) last week. The purpose of the new office is to better protect the health of disadvantaged communities and vulnerable populations on the frontlines of pollution and other environmental health issues. OEJ will sit within the Office of Climate Change and Health Equity at HHS, which President Biden created as a part of his Executive Order on Tackling the Climate Crisis. Funding for the Office of Climate Change was dropped by Congress from the fiscal year (FY) 2022 spending bill, and the administration reiterated its request for \$3 million in initial funding in its FY 2023 budget. The OEJ, and its parent office, will operate with staff on detail from other parts of the department. The OEJ is tasked with:

- Leading initiatives that integrate environmental justice into the HHS mission to improve health in disadvantaged communities and vulnerable populations across the nation;
- Developing and implementing an HHS-wide strategy on environmental justice and health.
- Coordinating annual HHS environmental justice reports;
- Providing HHS' Office of Civil Rights with environmental justice expertise to support compliance under Title VI of the Civil Rights Act of 1964; and
- Promoting training opportunities to build an environmental justice workforce.

The OEJ is accepting public comment on a draft [outline](#) to further the development of the 2022 HHS Environmental Justice Strategy and Implementation Plan to identify priority actions and strategies to best address environmental injustices and health inequities through June 18, 2022.

NSC Director Moves to USAID

Former National Security Council (NSC) senior director for global health security and biodefense Beth Cameron has been appointed senior adviser for global health security at the U.S. Agency for International Development (USAID). Cameron will transition to her new position at USAID starting in July. While working at the NSC, she supported the administration's international response to combatting COVID-19 and the global distribution of vaccines.

EUA of COVID-19 Vaccines for Young Children Expected June 21

White House COVID-19 response coordinator Dr. Ashish Jha announced that COVID-19 vaccinations for the nation's youngest children could begin as early as June 21. Pfizer and BioNTech have finalized their submission of data to the Food and Drug Administration (FDA) for their three-dose COVID-19 vaccine for children six months to four years old last week. The FDA's advisory committee will meet on June 15 to discuss the risks and benefits of the Pfizer-BioNTech and Moderna Inc. vaccines to the nation's youngest children and to provide a recommendation to regulators on whether the vaccines should be approved for emergency use.

Upcoming Congressional Hearings and Markups

House Veterans' Affairs Subcommittee on Technology Modernization hearing "Cybersecurity and Risk Management at VA: Addressing Ongoing Challenges and Moving Forward;" 10:00 a.m.; June 7

Senate Finance Committee hearing to examine the President's proposed budget request for fiscal year 2023; the witness list can be found [here](#); 10:00 a.m.; June 7

Senate HELP Committee executive session to consider S. 4348, Food and Drug Administration Safety and Landmark Advancements (FDASLA) Act and S. 958, Maximizing Outcomes through Better Investments in Lifesaving Equipment for (MOBILE) Health Care Act; 10:00 a.m.; June 8

House Veterans' Affairs Subcommittee on Health legislative hearing on H.R. 291, the COST SAVINGS Enhancement Act; H.R. 345, the Reproductive Health Information for Veterans Act; H.R. 1216, the Modernizing Veterans' Health Care Eligibility Act; H.R. 1957, the Veterans Infertility Treatment Act of 2021; H.R. 6273, the VA Zero Suicide Demonstration Project Act of 2021; H.R. 7589, the REMOVE Copays Act; Discussion Draft, to improve the hiring and retention of the employees of the U.S. Department of Veterans Affairs; 10:00 a.m.; June 8

House Committee on Oversight and Reform hearing "The Urgent Need to Address the Gun Violence Epidemic;" 10:00 a.m.; June 8

Senate Environment and Public Works Committee hearing to examine Toxic Substances Control Act amendments implementation; 10:00 a.m.; June 22

Recently Introduced Health Legislation

H.R.7907 — To keep schools safe using unobligated Federal funds available to the Secretary of Education to respond to the coronavirus. Sponsor: Rep. Weber, Randy K., Sr. [R-TX-14]; Committees: House - Education and Labor

H.R.7897 — To require manufacturers of PFAS to submit analytical reference standards to the Environmental Protection Agency, and for other purposes. Sponsor: Rep. Sarbanes, John P. [D-MD-3]; Committees: House - Energy and Commerce

H.R.7894 — To require group health plans and group or individual health insurance coverage to provide coverage for over-the-counter contraceptives. Sponsor: Rep. Pressley, Ayanna [D-MA-7]; Committees: House - Energy and Commerce; Education and Labor; Ways and Means

H.R.7890 — To prohibit unfair treatment of cadets and midshipmen who refuse to get the COVID-19 vaccine, and for other purposes. Sponsor: Rep. Lamborn, Doug [R-CO-5]; Committees: House - Armed Services; Transportation and Infrastructure

H.R.7881 — To amend the Internal Revenue Code of 1986 to clarify the treatment of locum tenens physicians and advanced care practitioners as independent contractors to help alleviate physician shortages, including in underserved areas. Sponsor: Rep. Carter, Earl L. "Buddy" [R-GA-1]; Committees: House - Ways and Means

H.Res.1147 — Expressing support for the designation of May 2022 as Healthy Vision Month to promote eye care, thereby helping Americans of all ages maintain healthy vision that can keep you safe and active each day. Sponsor: Rep. Rush, Bobby L. [D-IL-1]; Committees: House - Energy and Commerce

H.Res.1145 — Recognizing Menstrual Hygiene Day; Sponsor: Rep. Meng, Grace [D-NY-6]; Committees: House - Foreign Affairs; Energy and Commerce

H.Res.1150 — Supporting the designation of May 2022 as “National Brain Tumor Awareness Month;” Sponsor: Rep. Quigley, Mike [D-IL-5]; Committees: House - Energy and Commerce

H.R.7910 — To amend title 18, United States Code, to provide for an increased age limit on the purchase of certain firearms, prevent gun trafficking, modernize the prohibition on untraceable firearms, encourage the safe storage of firearms, and for other purposes; Sponsor: Rep. Nadler, Jerrold [D-NY-10]; Committees: House - Judiciary; Ways and Means

H.R.7916 — To prohibit the use of funds to implement any obligations of the United States under the World Health Organization’s Global Pandemic Treaty; Sponsor: Rep. Jackson, Ronny [R-TX-13]; Committees: House - Foreign Affairs

H.R.7921 — To amend the Workforce Innovation and Opportunity Act to require an action plan in each local plan for entities within the one-stop delivery system to meet the needs of individuals who have experienced trauma, mental health challenges, or substance use disorder, and for other purposes; Sponsor: Rep. Newman, Marie [D-IL-3]; Committees: House - Education and Labor

H.R.7922 — To amend title XXVII of the Public Health Service Act and title 5, United States Code, to require group health plans, health insurance issuers offering group or individual health insurance coverage, and Federal Employees Health Benefits Program health benefits plans to meet certain requirements with respect to medical child support orders, and for other purposes; Sponsor: Del. Norton, Eleanor Holmes [D-DC-At Large]; Committees: House - Energy and Commerce; Ways and Means; Oversight and Reform

H.R.7927 — To prohibit the use of funds to propose amendments to the International Health Regulations, the Global Pandemic Treaty, or any other agreement among World Health Organization member states, and for other purposes; Sponsor: Rep. Stewart, Chris [R-UT-2]; Committees: House - Foreign Affairs