

**EDITION:** April 7, 2022



## COVID-19 Resources

[HLB COVID-19 Resource Center](#)

## Congressional

### House Passes Insulin Bill

On March 31, the House passed the [Affordable Insulin Now Act](#) (H.R. 6833) by a vote of 232-193. The legislation would cap out-of-pocket costs on insulin at \$35 a month. In an attempt to find enough votes to pass it in the Senate, there is an effort to combine legislation related to insulin prices as part of a larger legislative package on drug pricing.

### Biden Signs Omnibus Into Law, Including Telehealth

On March 15, President Biden signed the \$1.5 trillion [FY22 Omnibus bill](#), which Congress passed the week prior. The new law funds the government through September 30, 2022 and includes several telehealth provisions:

- Extending telehealth coverage waivers (including audio only) by 151 days after the Public Health Emergency (PHE) ends,
- Delaying the requirement that Medicare beneficiaries using telehealth for mental health services be examined in person by the provider within six months of starting treatment, and every year after, and
- Instructing MedPAC to release a report by June 15, 2023 on telehealth utilization and costs.

## UPCOMING HEALTH CARE ACTIVITIES ON THE HILL

The House and Senate will be on Easter/Passover Recess for the next two weeks. Both chambers return the week of April 25.

### MedPAC

4/7-4/8: [April Public Meeting](#)

The bill also provides increased [funding](#) to a number of Department of Health and Human Services (HHS) programs.

### **MedPAC Releases Report to Congress**

On March 15, MedPAC released their [2022 Report to Congress](#) which includes its typical annual assessments of payment adequacy in the Medicare program and a review of services, as well as reports on Medicare Advantage and dual-eligible special needs plans, the Medicare Part D program, and designing a value incentive program for post-acute care.

## **Administration**

### **Radiation Oncology Model Delayed, Again**

On April 6, the Centers for Medicare & Medicaid Services (CMS) released a [proposed rule](#) which delays the current start date of the Radiation Oncology (RO) Model from January 1, 2023 to a date to be determined through future rulemaking. Comments related to the proposed delay and model will be accepted through June 7.

### **ACA Executive Order**

On April 5, President Biden signed an [Executive Order \(EO\)](#) Continuing to Strengthen Americans' Access to Affordable, Quality Health Coverage. The EO instructs relevant agencies to continue their work to expand coverage, increase quality, and improve access. Additionally, they announced that the Treasury Department will release a proposed rule to fix the Affordable Care Act's "family glitch", limiting certain families from their ability to use their premium tax credit.

### **Medicare to Cover OTC COVID Tests**

On April 4, CMS [announced](#) that they will cover up to eight over-the-counter COVID tests per month for beneficiaries who have Medicare Part B, including those in Medicare Advantage plans until the end of the PHE.

### **MA and Part D Rate Notice Released**

On April 4, CMS released the [2023 Medicare Advantage \(MA\) Capitation Rates and Part C and Part D Payment Policies](#). The rate [notice](#) includes an 8.5 percent increase from last year, updates to risk adjustment, and a deferral of new policies related to star ratings.

### **IRF PPS Proposed Rule Announced**

On March 31, CMS released its Inpatient Rehabilitation Facility (IRF) Prospective Payment System (PPS) [proposed rule](#). The [proposal](#) includes an update of 2.8 percent, a permanent cap on wage index decreases, and a solicitation of comments

including home health in the IRF transfer policy and the methodology for updating the facility-level adjustment factor. Comments are due May 31.

### **Psychiatric PPS Proposed Rule Released**

On March 31, CMS published its Inpatient Psychiatric Facilities (IPF) PPS [proposed rule](#) which [includes](#) a 1.5 percent payment increase, a permanent cap on wage index decreases, and Principles for Measuring Healthcare Quality Disparities. Comments are due May 31.

### **CMS Publishes Hospice Proposed Rule**

On March 30, CMS released its Hospice Wage Index and Payment Rate Update [proposed rule](#). The [proposal](#) includes a 2.7 percent payment increase, a permanent cap on wage index decreases, and updates to the Hospice Quality Reporting Program. Comments are due May 31.

### **Biden Announces his FY2023 Budget**

On March 28, the Biden Administration released its annual [budget request](#) for the federal government including \$127 billion to fund HHS in fiscal year 2023, a 15 percent increase in funding from 2022. The HHS budget request includes increases for pandemic preparedness and public health, health equity, and substance abuse treatment.

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## **HOOPER, LUNDY & BOOKMAN, P.C.**

### **Government Relations and Public Policy**

401 9th Street NW, Suite 550 Washington, DC 20004 | Telephone 202.580.7700

[www.health-law.com](http://www.health-law.com) | [@HLBHealthLaw](https://twitter.com/HLBHealthLaw)

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