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Congressional

Senate Democrats Working to Pass Reconciliation

Last week, Senate Majority Leader Chuck Schumer (D-NY) and Sen. Joe Manchin (D-WV) announced they had an agreement on a budget reconciliation package that would include tax, energy and climate provisions, in addition to the health care provisions announced in early July. [The Inflation Reduction Act of 2022](#) would reduce the deficit by approximately \$300 billion and is now under review by the Senate Parliamentarian to make sure the bill aligns with Senate rules. The legislation includes a 3 year extension of the Affordable Care Act (ACA) subsidies, Medicare negotiation for a certain number of high priced prescription drugs, rebates for pharmaceutical companies if they raise their price more than inflation, and Medicare Part D reform. Senate Democrats are hoping to bring the bill to the floor this week before departing for August recess, but that time frame is still very optimistic and could slip into part of next week.

Telehealth Extension Passed by House

On July 27, the House passed the [Advancing Telehealth Beyond COVID-19 Act](#) (H.R. 4040) by a vote of 416-12. The legislation extends the majority of the current public health emergency (PHE) waivers related to Medicare telehealth services through the end of 2024. The legislation now goes to the Senate, who may take up some version of a telehealth extension policy later in the year, likely after election day.

Administration

UPCOMING HEALTH CARE ACTIVITIES ON THE HILL

Senate Finance Committee

8/3 at 2:30pm ET: Full Committee hearing titled, "[A System in Need of Repair: Addressing Organizational Failures of the U.S.'s Organ Procurement and Transplantation Network](#)".

The House of Representatives is currently in recess until September 13, pending any possible need to return for votes.

The Senate is expected to leave for recess after they vote on the Inflation Reduction Act of 2022 and will return September 6.

IPPS Final Rule Released

On August 1, the Centers for Medicare & Medicaid Services (CMS) released its fiscal year (FY) 2023 Hospital Inpatient Prospective Payment System (IPPS) and Long Term Care Hospitals (LTCH) PPS [final rule](#). The [rule](#) updates payments by 4.3 percent, increases disproportionate share hospital (DSH) payments, and updates the wage index and outlier fixed-loss threshold, amongst other changes.

CMS Releases Medicare Advantage RFI

On July 28, CMS [released](#) a [request for information \(RFI\)](#), seeking input on certain areas related to the Medicare Advantage program. Questions included pertain to advancing health equity, expanding access and coverage, driving innovation to promote person-centered care and supporting affordability and sustainability in the program. Comments are due August 31.

Inpatient Psych Facility Final Rule Announced

On July 27, CMS released the FY 2023 Inpatient Psychiatric Facility Prospective Payment System [final rule](#). The [rule](#) finalizes an increase in payments by 2.5 percent, and sets a 5 percent permanent cap on wage index decreases.

CMS Posts IRF PPS Final Rule

On July 27, CMS released the FY 2023 Inpatient Rehab Facility (IRF) Prospective Payment System (PPS) [final rule](#). The [rule](#) finalizes the payment update at an increase of 3.9 percent, places a 5 percent permanent cap on wage index decreases and updates the Quality Reporting Program (QRP).

Hospice Final Rule Released

On July 27, CMS released the FY 2023 Hospice payment rate update and [final rule](#), providing a 3.8 percent increase in payment from 2022 as well as a 5 percent permanent cap on wage index decreases and updates to the Hospice Quality Reporting Program.

CMS Releases OPPTS Proposed Rule

On July 15, CMS released the FY 2023 Hospital Outpatient Prospective Payment System (OPPS) and Ambulatory Surgical Center [proposed rule](#). The [proposed rule](#) provides for a 2.7 percent payment update from 2022. The rule includes payment policies for rural emergency hospitals, remote behavioral health services and a request for information related to competition. Comments are due September 13.

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