

**EDITION:** July 2, 2021



## COVID-19 Resources

[HLB COVID-19 Resource Center](#)

## Congressional

### Wyden Releases Drug Cost Principles

On June 22, Senate Finance Committee Chairman, Senator Ron Wyden (D-OR) [released](#) a [document](#) outlining his principles for drug pricing reform. The document serves as his starting point, as Congress continues to negotiate on how to best tackle the issue.

## Administration

### Administration Issues RFI on Health Plan Rx Costs

On June 23, the Departments of [Labor](#), Treasury, and Health and Human Services (HHS) and the Office of Personal Management (OPM) issued a [request for information \(RFI\)](#) on health plans' prescription drug costs. The administration says the information will be used to craft the rule, and the information ultimately collected will help plans and insurers negotiate lower prescription rates. Comments are due by 5pm ET July 23, 2021.

### ACA Proposed Rule Released

On June 28, the Centers for Medicare & Medicaid Services (CMS) released another Affordable Care Act-focused [proposed rule](#) considered to be a continuation of the recent rulemaking process, as seen in [part 1](#) and [part 2](#) of the HHS Notice of Benefit and Payment Parameters for 2022 final rule published

## UPCOMING HEALTH CARE ACTIVITIES ON THE HILL

There are no hearings or mark-ups scheduled at this time.

Happy Independence Day!

on January 19 and May 5, 2021. CMS seeks to extend the open enrollment time frame for 30 days, create a new special enrollment period for low-income consumers, reverse the Trump administration's policy that would let states exit their insurance marketplaces and update navigator responsibilities, amongst other policies. Comments are due July 28, 2021.

### **CMS Releases Home Health Proposed Rule**

On June 28, CMS [released](#) the calendar year 2022 home health prospective payment system (PPS) [proposed rule](#). CMS proposes increasing Medicare payments to home health agencies in calendar year 2022 by 1.7 percent. This reflects a proposed 1.8 percent home health payment increase and a .1 percent decrease because of reductions in the rural add-on percentages mandated in the Bipartisan Budget Act of 2018 for 2022. Comments are due by 5pm ET on August 27, 2021.

### **ESRD PPS Proposed Rule Announced**

Yesterday, CMS announced their calendar year 2022 end-stage renal disease (ESRD) prospective payment system [proposed rule](#). The proposed rule would raise the base rate for the ESRD PPS by \$2.42 for 2022 to \$255.55, an increase to ESRD providers of about 1.2 percent. The proposal also makes changes to the ESRD Treatment Choices (ETC) model to tackle health and socioeconomic disparities. Comments are due by August 31, 2021.

### **Surprise Billing Interim Final Rule is Out**

The Departments of Treasury, Labor and HHS and OPM [released](#) the long-awaited surprise billing [interim final rule](#) yesterday. This rule will be the first of many released on surprise billing and transparency by the administration. The interim final rule defines the methodologies for calculating the in-network rate, but didn't include what factors arbitrators can consider in independent dispute resolution. Comments are due 60 days after it is displayed in the Federal Register.

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