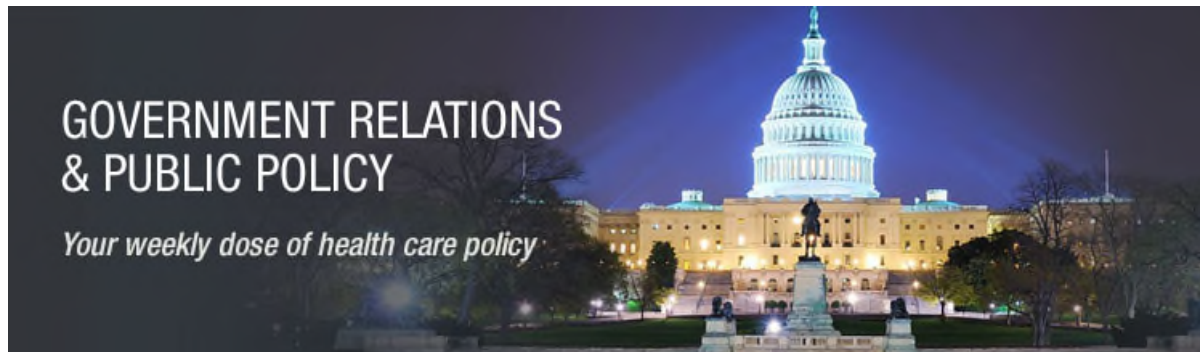


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## COVID-19 Resources

[HLB COVID-19 Resource Center](#)

## Congressional

### 117th Congress Begins

On January 3, the 117th Congress officially began. With the recent swearing in of the two new Georgia Democratic Senators, the Senate is now split 50-50 among parties with Vice President Kamala Harris being the tie-breaking vote. Due to this, Democrats now have control of the chamber and Senator Chuck Schumer (D-NY) is the new Majority Leader. Because of the even party split, Majority Leader Schumer and now-Minority Leader Mitch McConnell (R-KY) must still come to an agreement on committee makeup and Senate rules which is ongoing. Until that occurs, the Republican Chairman of Committees will remain in place. With Senate Health, Education, Labor and Pensions (HELP) Committee Chair Lamar Alexander (R-TN) having retired, that Committee cannot begin work on pressing items such as the Department of Health and Human Services (HHS) Confirmations. Further delaying Senate organization agreements and work is the need to coordinate and schedule former President Donald Trump's impeachment trial.

## QUALITY PAYMENT PROGRAM HIGHLIGHTS

In the year-end spending bill, Congress included a provision to continue the current Alternative Payment Model (APM) thresholds for two additional years (performance years 2021-2022; payment years 2023-2024), allowing more providers to qualify for the 5 percent APM payment set to increase in 2021.

## UPCOMING HEALTH CARE ACTIVITIES ON THE HILL

**There are no hearings scheduled at this time.**

## House Health Committees Add New Republicans

House Republicans appointed new members to key committees.

House Energy and Commerce Committee:

- Rep. Kelly Armstrong (R-ND-AL)
- Rep. Dan Crenshaw (R-TX-2)
- Rep. John Curtis (R-UT-3)
- Rep. Neal Dunn (R-FL-2)
- Rep. John Joyce (R-PA-13)
- Rep. Debbie Lesko (R-AZ-8)
- Rep. Gary Palmer (R-AL-6)
- Rep. Greg Pence (R-IN-6)

In addition, Rep. Brett Guthrie (R-KY-2) will become Ranking Member of the Health Subcommittee replacing Rep. Michael Burgess (R-TX-26).

House Ways and Means Committee:

- Rep. Carol Miller (R-WV-3)
- Rep. Lloyd Smucker (R-PA-11)
- Rep. Kevin Hern (R-OK-1)

## Administration

### Biden Signs EOs Impacting COVID-19

President Joe Biden has taken initial steps towards addressing COVID-19 by releasing the Administration's [National Strategy for the COVID-19 Response and Pandemic Preparedness](#) and signing a number of Executive Orders (EOs) impacting the country's COVID-19 response and recovery. These EOs provide for reengaging with the global health community, establishing a COVID-19 testing board, expanding use of the Defense Production Act to produce more medical supplies, launching new vaccination initiatives, new guidance for safe school and business reopenings, safety measures for travel, and ensuring an equitable pandemic response. Some of these initiatives are intended to be implemented more quickly than others, and more information is expected as teams are put into place.

- [Protecting the Federal Workforce and Requiring Mask-Wearing](#)
- [Organizing and Mobilizing the United States Government to Provide a Unified and Effective](#)

- [Response to Combat COVID-19 and to Provide United States Leadership on Global Health and Security](#)
- [Establishing the COVID-19 Pandemic Testing Board and Ensuring a Sustainable Public Health Workforce for COVID-19 and Other Biological Threats](#)
  - [Improving and Expanding Access to Care and Treatments for COVID-19](#)
  - [Ensuring a Data-Driven Response to COVID-19 and Future High Consequence Public Health Threats](#)
  - [A Sustainable Public Health Supply Chain](#)
  - [Supporting the Reopening and Continuing Operation of Schools and Early Childhood Education Providers](#)
  - [Protecting Worker Health and Safety](#)
  - [Providing COVID-19 Safety in Domestic and International Travel](#)
  - [Ensuring an Equitable Pandemic Response and Recovery](#)

### **Memo to Agencies on Regulatory Freeze and Review**

On January 20, White House Chief of Staff Ron Klain sent a [memorandum](#) to the heads of all executive departments and federal agencies to pull back any rules not published in the Federal Register prior to the transition of the President, and for those that have been published but have not taken effect, consider postponing effective dates for 60 days for review. During this time, an additional 30 day comment period may be considered. Those with statutory deadlines will not apply to the 60 day review. This process is typical for a new administration, but has implications for around 20 recent health care regulations.

### **Medicare Coverage of Innovative Technology Final Rule Released**

On January 14, the Centers for Medicare and Medicaid Services (CMS) released its [final rule](#) establishing a Medicare Coverage of Innovative Technology (MCIT) pathway for medical devices designated as breakthrough by the Food and Drug Administration (FDA) for four years of national coverage. The [final rule](#) is effective beginning March 15, but will be subject to the regulatory review mentioned above.

### **Notice of Benefit and Payment Parameters for 2022 Final Rule Released**

On January 14, HHS released its Notice of Benefit and Payment Parameters for 2022 [final rule](#) for Qualified Health

Plans on the exchanges. The rule includes a decrease in user fee rates for the Federally-facilitated Exchange (FFE) and State-based Exchanges on the Federal Platform (SBE-FP) as well as establishing a direct enrollment option. This rule will be subject to the regulatory review mentioned above.

## **MA and Part D Final Rule and 2022 Rate Notice Released**

On January 15, CMS released both the Contract Year 2022 Medicare Advantage and Part D [final rule](#) as well as the 2022 Rate Announcement. The [final rule](#) requires plans to offer a Beneficiary Real Time Benefit Tool (RTBT), permits a second, “preferred,” specialty tier in Part D, and codifies existing policies on supplemental benefits and the star ratings system. The 2022 [Rate Announcement](#) includes the net payment impact, phase-in of the risk adjustment model and updates to the Part C and D star ratings. These rules will be subject to the regulatory review mentioned above.

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