



Health Policy Briefing

March 25, 2024

Congress Wraps Up FY2024 Appropriations

Congress has completed work on fiscal year (FY) 2024 appropriations, passing a \$1.2 trillion deal that includes funding for the U.S. Department of Health and Human Services (HHS) and five other spending bills on Friday. The House of Representatives passed the **Further Consolidated Appropriations Act, 2024** under suspension of the rules by a vote of 286-134. Early Saturday morning, the bill passed the Senate in a 74-24 vote. The measure increases HHS funding by \$955 million over FY 2023 for a total of \$117.4 billion. The National Institutes of Health would receive a \$300 million increase in base funding for a total of \$48.6 billion. The Centers for Disease Control and Prevention would receive \$9.2 billion, a \$4.5 million increase. The Advanced Research Projects Agency for Health (ARPA-H) maintains its current \$1.5 billion funding level. The legislation reauthorizes the President's Emergency Plan for AIDS Relief (PEPFAR) for one year, instead of the traditional five-year reauthorization. The PEPFAR reauthorization does not include the anti-abortion language pushed for by Republicans in the lengthy negotiations that caused the program's authorization to lapse in October. The spending package includes more than 100 pages of earmarked project funding requested by lawmakers.

Shortly following House passage of the government funding bill, Rep. Marjorie Taylor Greene (R-Ga.) filed a motion to oust House Speaker Mike Johnson (R-La.). It remains unclear whether her motion to vacate has the support of any additional House Republicans. Greene could demand a vote on the motion at any point the House is in session, and if activated, a vote would have to be called within two legislative days. She has signaled that any effort to bring a Ukraine funding bill to the floor for a vote would cause her to act on her motion. The House and Senate currently stand in recess until the week of April 7.

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House Passes *Preventive Health Savings Act*

The House of Representatives passed a bill (H.R. 766) last week that would require the Congressional Budget Office (CBO), when requested by Congress, to consider whether legislative proposals would produce savings over a 30-year budget window instead of 10 years in calculating its cost estimates. The bipartisan bill, introduced by Reps. Michael Burgess (R-Texas) and Diana DeGette (D-Colo.), aims to ensure that the benefits of preventive care are sufficiently accounted for. Rep. Burgess noted that he has worked on this legislation for over 12 years and that the bill “will provide CBO with a mechanism to analyze the long-term benefits of preventive health care measures while ensuring that we make informed decisions on future health care policy.” It was passed by voice vote. It remains unclear whether the legislation will be taken up for consideration by the Senate.

E&C Advances 17 Health Bills

The House Energy and Commerce Committee favorably reported out the following 17 health bills last week.

- H.R. 619, the ***NAPA Reauthorization Act*** was advanced by a vote of 43-0.
- H.R. 620, the ***Alzheimer’s Accountability and Investment Act*** was advanced by vote of 43-0.
- H.R. 7218, the ***Building Our Largest Dementia (BOLD) Infrastructure for Alzheimer’s Act of 2024*** was advanced by a vote of 44-0.
- H.R. 4581, the ***Maternal and Child Health Stillbirth Prevention Act of 2024*** was advanced by a vote of 44-0.
- H.R. 2706, the ***Charlotte Woodward Organ Transplant Discrimination Prevention Act*** was advanced by a vote of 46-0.
- H.R. 4646, the ***SIREN Reauthorization Act*** was advanced by a vote of 46-0.
- H.R. 6160, To amend the Public Health Service Act to reauthorize a lifespan respite care program, was advanced by a vote of 46-0.
- H.R. 6960, the ***Emergency Medical Services for Children Reauthorization Act of 2024*** was advanced by a vote of 48-0.
- H.R. 7153, the ***Dr. Lorna Breen Health Care Provider Protection Reauthorization Act*** was advanced by a vote of 48-0.
- H.R. 7251, the ***Poison Control Centers Reauthorization Act of 2024*** was advanced by a vote of 47-0.
- H.R. 7224, To amend the Public Health Service Act to reauthorize the Stop, Observe, Ask, and Respond to Health and Wellness Training Program, was advanced by a vote of 45-0.
- H.R. 7208, the ***Dennis John Beningo Traumatic Brain Injury Program Reauthorization Act of 2024*** was advanced by a vote of 44-0.
- H.R. 6829, the ***Cardiomyopathy Health Education, Awareness, and Research, and AED Training in the Schools (HEARTS) Act of 2024*** was advanced by a vote of 42-0.
- H.R. 7189, the ***Congenital Heart Futures Reauthorization Act of 2024*** was advanced by a vote of 43-0.
- H.R. 7406, the ***DeOndra Dixon INCLUDE Project Act of 2024*** was advanced by a vote of 45-0.
- H.R. 3916, the ***SCREENS for Cancer Act of 2024*** was advanced by a vote of 46-0.
- H.R. 5074, the ***Kidney PATIENT Act*** was the only bill to not receive unanimous support, advancing by a vote of 36-10. Ranking Member Frank Pallone (D-N.J.) expressed concerns that the legislation, which would delay implementation of the inclusion of oral-only end-stage renal disease (ESRD) related drugs in the Medicare ESRD prospective payment system, would negatively impact access to care and increase costs.

Democrats Push CFPB to Revise Handling of Medical Debt

A group of Democrats in the Senate have sent a [letter](#) to the Consumer Financial Protection Bureau (CFPB) urging the agency to move forward with proposals to protect Americans from predatory medical debt collection practices. “Medical debt does not reflect spending habits or help lenders predict risk; instead, it is evidence of either health issues or a medical emergency,” the letter states. “We ask the CFPB to take concrete steps towards tackling the problems surrounding medical debt through proposing rules to further protect patients’ finances, dignity, and health.” CFPB proposed in September 2023 to remove medical debt from consumer credit reports. The senators also express support for eliminating deferred interest in medical credit products, and prohibiting unfair, deceptive, or abusive practices that target patients who either hold medical debt or need financing for medical care. The letter was signed by Senate Banking, Housing, and Urban Affairs Committee Chair Sherrod Brown (D-Ohio), Jack Reed (D-R.I.), Elizabeth Warren (D-Mass.), Tina Smith (D-Minn.), Raphael Warnock (D-Ga.), John Fetterman (D-Pa.), Laphonza Butler (D-Calif.), Jeff Merkley (D-Ore.), Chris Murphy (D-Conn.), and Ben Ray Lujan (D-N.M.).

Warren, Rubio Press DoD on Pharmaceutical Supply Chain

Sens. Elizabeth Warren (D-Mass.) and Marco Rubio (R-Fla.) sent a [letter](#) to Pentagon leadership last week expressing concerns about the nation’s reliance on foreign countries for essential medicines. The lawmakers cite a new report finding that more than one in four U.S.-designated essential medicines are considered very high risk by the military because they are dependent on key ingredients made in China or by unknown sources. Warren and Rubio ask for information about what drug shortages the Department of Defense (DoD) has experienced and efforts to evaluate risks to the supply chain.

Bipartisan Investigation into High-Risk Research Announced

The Senate Homeland Security and Governmental Affairs Committee (HSGAC) is launching a bipartisan investigation into the national security threats posed by high-risk biological research and technology in the U.S. and abroad. The panel plans to hold hearings and conduct government-wide oversight on high-risk life science research, biodefense, synthetic biology, biosafety and biosecurity lapses, early warning capabilities for emerging outbreaks or possible attacks, and the potential origins of the COVID-19 pandemic. Chairman Gary Peters (D-Mich.) and Ranking Member Rand Paul (R-Ky.) aim to identify measures to mitigate existing and emerging risks that could cause serious incidents, whether intentional, accidental, or natural.

Senate Democrats Comment on Pandemic Accord Negotiations

Senate Health, Education, Labor, and Pensions Committee Chairman Bernie Sanders (I-Vt.) led a group of 12 Democrats in sending a [letter](#) to the Biden administration requesting that the White House prioritize equitable access to vaccines, tests, and treatments as a part of ongoing negotiations of the Pandemic Accord at the World Health Organization. The lawmakers express support for the inclusion of pricing-related provisions to apply to any products developed with public funding during a pandemic, and the sharing of intellectual property and technology with other countries during future public health emergencies. “A fairer, more equitable response to the next public health outbreak is in everyone’s interest,” the letter states.

Congressional Retirements and Resignations

Former House Speaker Kevin McCarthy's (R-Calif.) seat in the House of Representatives will remain vacant for another two months. CA state Rep. Vince Fong (R) failed to receive 50% of the votes in Tuesday's special election, and will face a runoff election in May.

Rep. Kay Granger (R-Texas) announced that she is stepping down as chair of the House Appropriations Committee. She has requested that the House GOP Steering Committee and Conference choose a new chair for the remainder of the 118th Congress. Rep. Tom Cole (R-Okla.) has said he is seeking to replace Granger as the next committee chair. Reportedly, Rep. Robert Aderholt (R-Ala.), current LHHS Subcommittee chairman, is also expected to run for the position. Rep. Granger will remain on the committee as Chair Emeritus.

Rep. Mike Gallagher (R-Wis.) plans to resign from Congress effective April 19. Gallagher had previously announced that he would not be seeking reelection in November, but his decision to leave the chamber before his term is up further shrinks Republicans' already narrow majority in the House.

A running list of members of Congress who are retiring or seeking other office can be found below.

SENATE	
Stabenow (D), MI	Braun (R), IN
Cardin (D), MD	Romney (R), UT
Carper (D), DE	
Butler (D), CA	
Manchin (D), WV	
Sinema (I), AZ	
HOUSE OF REPRESENTATIVES	
Porter (D), CA	Mooney (R), WV
Lee (D), CA	Banks (R), IN
Gallego (D), AZ	Bishop (R), NC
Schiff (D), CA	Lesko (R), AZ
Slotkin (D), MI	Granger (R), TX
Allred (D), TX	Buck (R), CO (effective March 22, 2024)
Trone (D), MD	Burgess, MD (R), TX
Blunt Rochester (D), DE	Wenstrup, DPM (R), OH
Napolitano (D), CA	McHenry (R), NC
Wexton (D), VA	McCarthy (R), CA (effective Dec. 31, 2023)
Kim, Andy (D), NJ	Johnson (R), OH (effective Jan. 21, 2024)
Jackson, Jeff (D), NC	Ferguson, IV, DMD, PC (R), GA
Sarbanes (D), MD	Curtis (R), UT
Blumenauer (D), OR	Luetkemeyer (R), MO
Kilmer (D), WA	Lamborn (R), CO
Spanberger (D), VA	Bucshon, MD (R), IN
Kildee (D), MI	Pence (R), IN
Phillips (D), MN	Duncan (R), SC
Cardenas (D), CA	Armstrong (R), ND
Eshoo (D), CA	McMorris Rodgers (R), WA
Manning (D), NC	Gallagher (R), WI (effective April 19, 2024)
Higgins (D), NY (effective Feb. 2, 2024)	
Nickel (D), NC	
Ruppersberger (D), MD	
Sablan (D), MP	

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Recently Introduced Health Legislation

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H.R.7709 — To establish a strategic active pharmaceutical ingredient reserve to maintain a domestic supply of active pharmaceutical ingredients and key starting materials needed for the manufacturing of essential generic medicines, and to build a pipeline for domestic active pharmaceutical ingredient production. Sponsor: Spanberger, Abigail Davis [Rep.-D-VA-7]; Committees: House - Energy and Commerce

H.R.7708 — To amend title XVIII of the Social Security Act to require MA organizations offering network-based plans to maintain an accurate provider directory, and for other purposes. Sponsor: Panetta, Jimmy [Rep.-D-CA-19]; Committees: House - Ways and Means; Energy and Commerce

H.R.7693 — To amend the Internal Revenue Code of 1986 to treat distributions from health savings accounts for funeral expenses of the account beneficiary as qualified distributions. Sponsor: Hern, Kevin [Rep.-R-OK-1]; Committees: House - Ways and Means

H.R.7688 — To amend the Public Health Service Act to reauthorize the Project ECHO Grant Program, to establish grants under such program to disseminate knowledge and build capacity to address Alzheimer's disease and other dementias, and for other purposes. Sponsor: Carter, Earl L. "Buddy" [Rep.-R-GA-1]; Committees: House - Energy and Commerce

H.Res.1083 — Recognizing the longstanding and invaluable contributions of Black midwives to maternal and infant health in the United States. Sponsor: Moore, Gwen [Rep.-D-WI-4]; Committees: House - Energy and Commerce; Armed Services

H.Res.1081 — Amending the Rules of the House of Representatives to establish a Committee on Health as a standing committee of the House. Sponsor: Davidson, Warren [Rep.-R-OH-8]; Committees: House - Rules

S.Res.594 — A resolution designating April 17, 2024, as "National Assistive Technology Awareness Day"; Sponsor: Casey, Robert P., Jr. [Sen.-D-PA]; Committees: Senate - Judiciary

S.3967 — A bill to amend title XVIII of the Social Security Act to make permanent certain telehealth flexibilities under the Medicare program; Sponsor: Scott, Tim [Sen.-R-SC]; Committees: Senate - Finance

S.3968 — A bill to amend the Public Health Service Act to provide community-based training opportunities for medical students in rural areas and medically under-served communities, and for other purposes; Sponsor: Wicker, Roger F. [Sen.-R-MS]; Committees: Senate - Health, Education, Labor, and Pensions

S.3975 — A bill to require companies to receive consent from consumers to having their data used to train an artificial intelligence system; Sponsor: Welch, Peter [Sen.-D-VT]; Committees: Senate - Commerce, Science, and Transportation

S.3977 — A bill to amend title XVIII of the Social Security Act to protect beneficiaries with limb loss and other orthopedic conditions by providing access to appropriate, safe, effective, patient-centered orthotic and prosthetic care; to reduce fraud, waste, and abuse with respect to orthotics and prosthetics, and for other purposes; Sponsor: Warner, Mark R. [Sen.-D-VA]; Committees: Senate - Finance

S.3979 — A bill to amend title 38, United States Code, to make permanent and codify the pilot program for use of contract physicians for disability examinations, and for other purposes; Sponsor: Moran, Jerry [Sen.-R-KS]; Committees: Senate - Veterans' Affairs

S.3981 — A bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to carry out a program of research, training, and investigation related to Down syndrome, and for other purposes; Sponsor: Hickenlooper, John W. [Sen.-D-CO]; Committees: Senate - Health, Education, Labor, and Pensions

H.Res.1089 — Recognizing the seriousness of widespread health care worker burnout in the United States and the need

to strengthen health workforce well-being, and expressing support for the designation of March 18, 2024, as the inaugural “Health Workforce Well-Being Day of Awareness”; Sponsor: Dingell, Debbie [Rep.-D-MI-6]; Committees: House - Energy and Commerce

H.Res.1090 — Supporting the designation of the first week of April as “Adolescent Immunization Action Week” and recognizing the importance of encouraging vaccination for adolescents and young adults to protect against serious illness; Sponsor: Espaillat, Adriano [Rep.-D-NY-13]; Committees: House - Energy and Commerce

H.Res.1094 — Recognizing the significance of Sjögren’s as a serious and systemic autoimmune disease and designating April as “Sjögren’s Awareness Month”; Sponsor: Morelle, Joseph D. [Rep.-D-NY-25]; Committees: House - Energy and Commerce

H.R.7711 — To amend title XVIII of the Social Security Act to make permanent certain telehealth flexibilities under the Medicare program; Sponsor: Dingell, Debbie [Rep.-D-MI-6]; Committees: House - Energy and Commerce; Ways and Means

H.R.7714 — To authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to make grants to States to increase awareness and education for colorectal cancer and improve early detection of colorectal cancer in young individuals, and for other purposes; Sponsor: Caraveo, Yadira [Rep.-D-CO-8]; Committees: House - Energy and Commerce

H.R.7715 — To authorize additional funding for Food and Drug Administration monitoring and prevention of illicit nicotine products at ports of entry, and for other purposes; Sponsor: Gallego, Ruben [Rep.-D-AZ-3]; Committees: House - Energy and Commerce

H.R.7716 — To amend title XVIII of the Social Security Act to provide for enforcement of standards for reasonable and relevant contract terms and conditions and essential retail pharmacy protections under the Medicare program; Sponsor: Gallego, Ruben [Rep.-D-AZ-3]; Committees: House - Energy and Commerce; Ways and Means

H.R.7717 — To amend title XI of the Social Security Act to enhance pharmacy benefit manager transparency requirements; Sponsor: Gallego, Ruben [Rep.-D-AZ-3]; Committees: House - Energy and Commerce; Ways and Means

H.R.7718 — To amend title XVIII of the Social Security Act to assure pharmacy access and choice for Medicare beneficiaries; Sponsor: Gallego, Ruben [Rep.-D-AZ-3]; Committees: House - Energy and Commerce; Ways and Means

H.R.7720 — To permit the Byrne JAG grant to be used for the purchase of fentanyl testing kits and opioid reversal agents; Sponsor: Kean, Thomas H. [Rep.-R-NJ-7]; Committees: House - Judiciary

H.R.7725 — To amend the Higher Education Act of 1965 to prohibit graduate medical schools from receiving Federal financial assistance if such schools adopt certain policies and requirements relating to diversity, equity, and inclusion; Sponsor: Murphy, Gregory F. [Rep.-R-NC-3]; Committees: House - Education and the Workforce

S.Res.605 — A resolution recognizing the 75th anniversary of the National Institute of Dental and Craniofacial Research and its critical role in improving the dental, oral, and craniofacial health of the United States through research, training, and the dissemination of health information; Sponsor: Cardin, Benjamin L. [Sen.-D-MD]; Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

S.3983 — A bill to amend the Public Health Service Act to authorize a grant program to increase capacity for providing abortion services and other sexual and reproductive health care, and for other purposes; Sponsor: Hirono, Mazie K. [Sen.-D-HI]; Committees: Senate - Health, Education, Labor, and Pensions

S.3997 — A bill to prioritize funding for an expanded and sustained national investment in basic science research; Sponsor: Durbin, Richard J. [Sen.-D-IL]; Committees: Senate - Health, Education, Labor, and Pensions

H.R.7738 — To establish the Toxic Exposure Fund of the Department of Veterans Affairs, and for other purposes; Sponsor: Bost, Mike [Rep.-R-IL-12]; Committees: House - Veterans' Affairs; Rules; Budget

H.R.7742 — To amend title XVIII of the Social Security Act to establish a 2-year demonstration program for hospitals to provide outpatient observation services to Medicare beneficiaries at home; Sponsor: Castor, Kathy [Rep.-D-FL-14]; Committees: House - Ways and Means; Energy and Commerce

H.R.7745 — To prioritize funding for an expanded and sustained national investment in basic science research, and for other purposes; Sponsor: Foster, Bill [Rep.-D-IL-11]; Committees: House - Science, Space, and Technology; Armed Services; Budget

S.4009 — A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to offer annual preventative health evaluations to veterans with a spinal cord injury or disorder and increase access to assistive technologies, and for other purposes; Sponsor: Moran, Jerry [Sen.-R-KS]; Committees: Senate - Veterans' Affairs

S.4013 — A bill to amend the Public Health Service Act to establish the Firefighter PFAS Injury Compensation Program, and for other purposes; Sponsor: Booker, Cory A. [Sen.-D-NJ]; Committees: Senate - Finance

S.4023 — A bill to further protect patients and improve the accuracy of provider directory information by eliminating ghost networks; Sponsor: Smith, Tina [Sen.-D-MN]; Committees: Senate - Health, Education, Labor, and Pensions

S.4031 — A bill to authorize the Administrator of the Health Resources and Services Administration to award grants to expand or create health care provider pipeline programs; Sponsor: Heinrich, Martin [Sen.-D-NM]; Committees: Senate - Health, Education, Labor, and Pensions

S.4035 — A bill to require the Director of the Office of Personnel Management to take certain actions with respect to the health insurance program carried out under chapter 89 of title 5, United States Code, and for other purposes; Sponsor: Scott, Rick [Sen.-R-FL]; Committees: Senate - Homeland Security and Governmental Affairs

S.4041 — A bill to support local educational agencies in addressing the student mental health crisis; Sponsor: Cornyn, John [Sen.-R-TX]; Committees: Senate - Health, Education, Labor, and Pensions

S.4045 — A bill to require a study on public health impacts as a consequence of the February 3, 2023, train derailment in East Palestine, Ohio; Sponsor: Vance, J. D. [Sen.-R-OH]; Committees: Senate - Health, Education, Labor, and Pensions

S.4046 — A bill to amend title 38, United States Code, to modify authorities relating to the collective bargaining of employees in the Veterans Health Administration, and for other purposes; Sponsor: Brown, Sherrod [Sen.-D-OH]; Committees: Senate - Veterans' Affairs

H.R.7765 — To direct the Secretary of Veterans Affairs to carry out a pilot program to use weapon screening technology at medical centers of the Department of Veterans Affairs; Sponsor: Williams, Brandon [Rep.-R-NY-22]; Committees: House - Veterans' Affairs

H.R.7788 — To amend the Public Health Service Act to establish the Firefighter PFAS Injury Compensation Program, and for other purposes; Sponsor: Soto, Darren [Rep.-D-FL-9]; Committees: House - Ways and Means; Energy and Commerce; Budget