



## Health Policy Briefing

April 29, 2024

### Budget Leadership Requests GAO Review of CMMI

House Budget Committee Chairman Jodey Arrington (R-Texas) and Budget Committee Health Care Task Force Chair Michael Burgess (R-Texas) are [requesting](#) that the Government Accountability Office (GAO) investigate the effectiveness of the Center for Medicare and Medicaid Innovation (CMMI). Arrington and Burgess argue that CMMI has failed to deliver on its mandate to test new payment models that address health care costs and quality. CMMI spending is set to increase by \$1.3 billion by 2030, while only six of the more than 50 models it has tested have resulted in statistically significant savings. “We must conduct budgetary oversight of mandatory health care programs such as CMMI that are adding to our national debt and not delivering for taxpayers or patients,” Arrington and Burgess stated. The lawmakers ask GAO to review the agency’s dedicated funding and performance and to evaluate which of the payment models tested by CMMI have saved money or increased spending.

### Sanders Opens Investigation into Weight-Loss Drug Pricing

Senate Health, Education, Labor, and Pensions (HELP) Committee Chairman Bernie Sanders (I-Vt.) is opening a new investigation into the price of weight-loss drugs Ozempic and Wegovy. The products currently sell for approximately \$1,000 a month. “The unjustifiably high prices of Ozempic and Wegovy are already straining the budgets of Medicare and Medicaid and severely limiting access for patients who need these drugs,” the HELP Chairman argued. Sanders sent a [letter](#) to Novo Nordisk’s CEO requesting that the drug company substantially reduce the list price and the net price of both Ozempic and Wegovy, and provide detailed information regarding the pricing, cost, and sale of each product. “The scientists at Novo Nordisk deserve great credit for developing these drugs that have the potential to be a game changer for millions of Americans struggling with type 2 diabetes and obesity. As important as these drugs are, they will not do any good for the millions of patients who cannot afford them,” Sanders wrote.

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## Cole Announces Appropriations Deadline and Updates to Earmarking Process

House Appropriations Committee Chairman Tom Cole (R-Okla.) announced a change to the congressional earmarking process for fiscal year (FY) 2025 last week. The new policy will restrict the House of Representatives from earmarking funds for nonprofits, including health care facilities, under the latest Transportation-Housing and Urban Development appropriations bill. House Republicans had previously banned earmarks under Defense, Financial Services, and Labor-Health and Human Services-Education appropriations ahead of FY 2024 spending bills. Cole also announced a deadline of May 3, 2024, for members to submit their earmark requests.

## NJ Rep. Donald Payne Dies Following Heart Attack

Six-term Congressman Donald Payne Jr. (D-N.J.) died last week at the age of 65. Payne had been hospitalized since suffering a cardiac episode related to complications from diabetes earlier this month. Payne succeeded his father, New Jersey's first-ever Black representative in Congress, in representing the state's 10th congressional district. During his time in the House of Representatives he sponsored legislation to promote screening for colorectal cancer and peripheral arterial disease. He was a member of the Homeland Security and Transportation and Infrastructure committees. House leadership announced that votes are no longer expected May 2 to accommodate his funeral service. Payne's death leaves the House with a 217-212 Republican-Democratic split, with six vacancies.

## WHO Finds Widespread Overuse of Antibiotics During COVID Pandemic

The World Health Organization (WHO) [released](#) new findings last week revealing extensive, world-wide overuse of antibiotics during the COVID-19 pandemic. While only 8% of hospitalized patients with COVID-19 had bacterial co-infections requiring antibiotics, 75% of patients were treated with antibiotics just in case they help. Antibiotic use ranged from 33% in the Western Pacific Region to 83% in the Eastern Mediterranean and the African Regions. "These findings underscore the important need to adequately resource the efforts to improve antibiotic prescribing globally, and are particularly relevant to discuss ahead of the upcoming UN General Assembly High-Level Meeting on Antimicrobial Resistance (AMR) to take place this September," stated Dr. Yukiko Nakatani, WHO Assistant Director-General for AMR.

## Congressional Retirements and Resignations

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

<b>SENATE</b>	
Stabenow (D), MI	Braun (R), IN
Cardin (D), MD	Romney (R), UT
Carper (D), DE	
Butler (D), CA	
Manchin (D), WV	
Sinema (I), AZ	
<b>HOUSE OF REPRESENTATIVES</b>	
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)	LaTurner (R), KS
Nickel (D), NC	
Ruppersberger (D), MD	
Sablan (D), MP	
Kuster (D), NH	

## Upcoming Congressional Hearings and Markups

House Energy and Commerce Subcommittee on Health legislative hearing “Legislative Proposals to Increase Medicaid Access and Improve Program Integrity;” 10:00 a.m.; April 30

House Appropriations Subcommittee on Labor, Health and Human Services, and Education Member Day Hearing; 10:30 a.m.; April 30

Senate Armed Services Subcommittee on Personnel hearing to examine the Department of Defense’s efforts to ensure servicemembers’ access to safe, high-quality pharmaceuticals; the witness list can be found here; 2:30 p.m.; April 30

Senate Finance Committee hearing “Hacking America’s Health Care: Assessing the Change Healthcare Cyber Attack and What’s Next;” the witness list can be found here; 9:00 a.m.; May 1

House Energy and Commerce Subcommittee on Oversight and Investigation and Subcommittee on Health hearing to discuss gain-of-function research with EcoHealth Alliance President Dr. Peter Daszak; 10:00 a.m.; May 1

House Energy and Commerce Subcommittee on Oversight and Investigations hearing to discuss the Change Healthcare Cyberattack with Andrew Witty, CEO, UnitedHealth Group Inc.; 2:00 p.m.; May 1

Senate Health, Education, Labor, and Pensions Committee hearing “What Can Congress Do to Address the Severe Shortage of Minority Health Care Professionals and the Maternal Health Crisis?” 10:00 a.m.; May 2

## Recently Introduced Health Legislation

H.R.8084 — To amend title XIX of the Social Security Act to require States to verify certain eligibility criteria for individuals enrolled for medical assistance quarterly, and for other purposes; Sponsor: Bilirakis, Gus M. [Rep.-R-FL-12]; Committees: House - Energy and Commerce

H.R.8089 — To amend title XIX of the Social Security Act to require certain additional provider screening under the Medicaid program; Sponsor: Garcia, Mike [Rep.-R-CA-27]; Committees: House - Energy and Commerce

H.R.8094 — To amend title XIX of the Social Security Act to modify certain asset recovery rules; Sponsor: Kean, Thomas H. [Rep.-R-NJ-7]; Committees: House - Energy and Commerce

S.Res.661 — A resolution designating the week of April 15 through April 21, 2024, as “National Osteopathic Medicine Week”; Sponsor: Manchin, Joe, III [Sen.-D-WV]; Submitted in the Senate, considered, and agreed to without amendment and with a preamble by Unanimous Consent.

S.4201 — A bill to amend title XVIII of the Social Security Act to modify the criteria for designation of rural emergency hospitals; Sponsor: Hyde-Smith, Cindy [Sen.-R-MS]; Committees: Senate – Finance

H.R.8106 — To amend title XIX of the Social Security Act to increase transparency and expand coverage options with respect to home and community-based services under a Medicaid waiver; Sponsor: McMorris Rodgers, Cathy [Rep.-R-WA-5]; Committees: House - Energy and Commerce

H.R.8107 — To amend title XIX of the Social Security Act to remove certain age restrictions on Medicaid eligibility for working adults with disabilities; Sponsor: Ciscomani, Juan [Rep.-R-AZ-6]; Committees: House - Energy and Commerce

- H.R.8108 — To amend title XIX of the Social Security Act to add a Medicaid State plan requirement with respect to the determination of residency of certain individuals serving in the Armed Forces; Sponsor: Kiggans, Jennifer A. [Rep.-R-VA-2]; Committees: House - Energy and Commerce
- H.R.8109 — To amend the Deficit Reduction Act of 2005 to make permanent the Money Follows the Person rebalancing demonstration; Sponsor: Dingell, Debbie [Rep.-D-MI-6]; Committees: House - Energy and Commerce
- H.R.8110 — To amend title XIX of the Social Security Act to make permanent the State option to extend protection against spousal impoverishment for recipients of home and community-based services under Medicaid; Sponsor: Dingell, Debbie [Rep.-D-MI-6]; Committees: House - Energy and Commerce
- H.R.8111 — To amend title XIX of the Social Security Act to ensure the reliability of address information provided under the Medicaid program; Sponsor: Miller-Meeks, Mariannette [Rep.-R-IA-1]; Committees: House - Energy and Commerce
- H.R.8112 — To amend title XIX of the Social Security Act to further require certain additional provider screening under the Medicaid program; Sponsor: D’Esposito, Anthony [Rep.-R-NY-4]; Committees: House - Energy and Commerce
- H.R.8113 — To amend title XIX of the Social Security Act to require reporting on certain directed payments under the Medicaid program; Sponsor: Griffith, H. Morgan [Rep.-R-VA-9]; Committees: House - Energy and Commerce
- H.R.8114 — To prohibit the Secretary of Health and Human Services from finalizing a rule proposed by the Centers for Medicare & Medicaid Services to place certain limitations on Medicaid payments for home or community-based services; Sponsor: Cammack, Kat [Rep.-R-FL-3]; Committees: House - Energy and Commerce
- H.R.8115 — To amend title XIX of the Social Security Act to allow for the deferral or disallowance of portions of payments for certain managed care violations under Medicaid; Sponsor: Sarbanes, John P. [Rep.-D-MD-3]; Committees: House - Energy and Commerce
- H.R.8116 — To amend title 28, United States Code, to limit the use of Federal funds for live tissue training for Department of Justice personnel; Sponsor: Dean, Madeleine [Rep.-D-PA-4]; Committees: House – Judiciary
- H.R.8123 — To amend the Federal Food, Drug, and Cosmetic Act to establish new prohibited acts relating to dietary supplements; Sponsor: Pallone, Frank [Rep.-D-NJ-6]; Committees: House - Energy and Commerce