

Allies for Independence Washington Insights

Week of October 9, 2023

CAPITOL HILL UPDATE

Congress is in complete disarray. The Senate was on recess this week but will return next week with hopes to advance a series of FY24 spending bills. The Senate plans for spending bills appears to be to take the House-passed bills, replace the language with their bipartisan bills, and pass them to begin negotiations with the House. With five weeks until government funding expires, there is little time for bipartisan, bicameral negotiations to fund the government for the balance of FY2024.

In the House, the race for Speaker is still very much up in the air. House Majority Leader Steve Scalise secured his party's nomination for Speaker, only to withdraw from the race when his path to 217 votes was not possible. Several Republicans signaled they still would not support Scalise on the floor, which leaves Republicans going back to the drawing board to try and find someone willing and capable of getting the necessary votes. As we saw with Speaker McCarthy, the nominee can only lose four votes.

Now that Scalise is out of the race, focus could shift back to Rep. Jim Jordan (OH), or Speaker Pro Tem Patrick McHenry (NC), Rep. Tom Cole (OK), or Majority Whip Tom Emmer (MN). It is a completely open race now.

Congress will certainly need another continuing resolution to prevent a government shutdown in a few weeks, which will come into view once the Speaker race is resolved. There is growing urgency to get back to the business of legislating, but Congress is paralyzed until the Speaker race is resolved.

ON THE RADAR

New Study Finds Adults with Disabilities Experienced Unfair Treatment in Health, Work Settings

A new Urban Institute study cites information from a 2022 survey which found 4 in 10 adults with disabilities reported experiencing unfair treatment in health care settings, at work, or when applying for public benefits. It is surveys like this which underscore the importance of working to remove barriers to work, health, and independent living that so many individuals with disabilities face, which can lead to worse outcomes.

If you are interested in reading the full report, please [click here](#).

Senate Finance Holds Hearing on Home Health

Last month, the Senate Finance Health Subcommittee held a hearing titled, “Aging in Place: The Vital Role of Home Health in Access to Care.” The hearing featured testimony from key stakeholders in the home health space, including the National Association of Home Care & Hospice and the Center for Medicare Advocacy, among others. This hearing was a timely discussion on the state of home health care and a review of the types of barriers beneficiaries face when transitioning back into the home or seeking out long-term services at home.

E&C Hearing Includes Bill to Expand Medicare Coverage to Obesity Medications

The Energy & Commerce Health Subcommittee held a hearing last month which considered the Treat and Reduce Obesity Act. This legislation would expand Medicare Part D coverage of obesity medications and allow additional health care providers to offer the Intensive Behavioral Therapy benefit. Medicare has historically restricted coverage to obesity medications, but the introduction of newer weight loss drugs has forced Congress to review the issue. One such product, Wegovy, cut the risk of serious heart problems by about 20 percent in a large trial, renewing calls to cover the treatment.

Notably, the Congressional Budget Office (CBO) said it would consider cost savings when it analyzes legislation involving anti-obesity medications if research demonstrates such products would save money for the broader health system. This is an issue that will not go away any time soon given the state of health in the United States, where a growing number of Americans live with obesity.

HHS Invests \$8M in Training Physicians to Care for Individuals with Disabilities

Last month, the Department of Health and Human Services (HHS) announced more than \$8 million through 18 awards to train primary care medical students, physician assistant students, and medical residents in providing culturally and linguistically appropriate care for individuals with limited English proficiency and individuals with physical or intellectual and developmental disabilities. Surveys conducted to assess physician confidence in providing care to individuals with disabilities revealed gaps in understanding, prompting these investments. For more information on these awards, please [click here](#).

KFF: Can Nursing Facilities Meet New Staffing Requirements?

A new analysis from the [Kaiser Family Foundation](#), which reviewed the Nursing Home Compare Data, found that fewer than 1 in 5 facilities could meet the required number of hours for registered nurses and nurse aides. The Nursing Home Compare data includes over 14,500 nursing facilities that reported staffing levels in August 2023. The analysis suggests that over 80% of facilities would need to hire nursing staff to comply of the new rule.

The proposed rule consists of three core proposals: (1) minimum staffing standards of 0.55 hours per resident day (HPRD) for registered nurses and 2.45 HPRD for Nurses Aides (NAs); a requirement to have an RN onsite 24 hours a day, seven days a week; and (3) enhanced facility assessment requirements. CMS believes that these proposals are necessary to address persistent staffing shortages. CMS will be accepting comments on this proposed rule until November 6, 2023. To read the rule and submit comments [click here](#).

ISSUE OF THE WEEK: NIH Designates People with Disabilities as a Population with Health Disparities

Last month, the National Institutes of Health made a landmark announcement designating people with disabilities as a population with health disparities for research supported by NIH. As NIH works to confront health disparities across populations, this announcement is significant and will lead to greater research and inter-agency collaboration to improve the government's understanding of the myriad of factors that lead to disparate health outcomes.

With this announcement, NIH also issues a notice of funding opportunity calling for research applications focused on novel and innovative approaches and interventions that address the intersecting impact of disability, race and ethnicity, and socioeconomic status on health access and outcomes. For more information on this funding opportunity, please [click here](#).

ON THE HORIZON

HHS Schedules Drug Price Negotiation Listening Sessions

Over the next month, HHS will hold listening sessions on drug price negotiations for the following drugs:

- Eliquis: October 30, 2023; 12pm ET
- Enbrel: October 31, 2023; 12pm ET
- Entresto: November 1, 2023; 12pm ET
- Farxiga: November 2, 2023; 12pm ET
- Fiasp/NovoLog: November 3, 2023; 12pm ET
- Imbruvica: November 6, 2023; 12pm ET
- Januvia: November 7, 2023; 12pm ET
- Jardiance: November 8, 2023; 12pm ET
- Stelara: November 14, 2023; 12pm ET
- Xarelto: November 15, 2023; 12pm ET

For more information on these listening sessions, please [click here](#).

ALLIES FOR INDEPENDENCE POLICY SYMPOSIUM

We would like to extend our thanks to everyone who attended the Allies for Independence Policy Symposium. It was a fantastic event with a variety of speakers who shared updates on important policy issues, including the landscape around self-directed care, home- and community-based services (HCBS) funding, reforming the pharmacy benefit manager (PBM) industry, and insurance industry updates. Thank you to all the speakers for making this a truly successful event.

If you are interested in re-watching the event, you can do so by [clicking here](#). Please enter this passcode to watch the event: UigT%F9

RECOMMENDED READS

- *Forbes* – [Long-Term Care Services Vary Widely By State, AARP Finds](#)
 - *CNN* – [More than half of older Americans will need long-term care. Many can't afford the rising cost](#)
 - *Fast Company* – [How to make workplaces more inclusive for people with invisible disabilities](#)
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