



ADVOCATES FOR COMMUNITY HEALTH



ACH MONTHLY UPDATE: DECEMBER 2023

advocatesforcommunityhealth.org

Dear ACH Members:

As 2023 comes to an end, we thank you for your tireless commitment and innovative leadership. In 2024, we look forward to continuing to advocate on your behalf and elevate your collective voices to ensure community health centers have the resources and infrastructure they need to provide care to underserved communities across the country.

Also, please join us for a [webinar](#) on Wednesday, January 17, 2024, from 12-1 p.m. ET to follow up on our December webinar on the Fiscal Year 2025 “earmarks” process. We will share what we know about the FY25 process and deadlines, discuss further how Advocates for Community Health members can access this potential funding source and how ACH can help you with your requests.

In addition, we hope to see you at our 2024 Annual Member Meeting, which will take place **March 5-7, 2024**. Next year’s event will be hosted at the brand new Capitol Hill Royal Sonesta. Please take advantage of our early bird registration fees and [register today](#). You can also book your hotel room at a discounted rate [here](#). All the details, including a draft agenda can be found [here](#).

Continue reading for additional updates on our activities in Washington and relevant policy news.



POLICY UPDATES

The Latest News From DC

The House and Senate have adjourned for the year, but their final weeks in session proved to be busy for health-related legislation. Earlier this month, the [House passed the Lower Cost, More Transparency Act](#) and [the Support Act](#) with sweeping bipartisan support. In the Senate, the [HELP Committee voted to advance its version of the Support Act](#) and held a [hearing on the Diabetes epidemic](#). While many in the health care community have enjoyed ending the year with bipartisan legislative achievements, the celebration may be short-lived as the government hits its first shutdown deadline of 2024 on January 19.

Both the House and Senate are scheduled to recess until January 8, and as of this writing, no top-line spending level has been agreed upon, which is necessary to begin negotiations between the House and Senate. Given Congress' current tenor, top appropriators expect it will take at least a month to tie up negotiations once the topline deal is struck, skyrocketing the possibility of at least a partial shutdown. [For more on government funding negotiations, see this rundown in Politico.](#)

ACH-Specific Legislation Updates

Health Equity

ACH continues to promote Rep. Yvette Clarke (D-NY)'s [Health Center Community Transformation Hub Act](#), HR 1072, on the Hill. ACH has reached out to all of the Republican members of the House Energy and Commerce Committee to encourage bipartisan co-sponsorship and build support behind the bill. We will be following up with key offices to discuss potential next steps.

In addition, [ACH submitted comments to HHS's Request for Public Input on Coverage of OTC Preventative Services](#), including contraception, tobacco cessation, and breastfeeding supplies. The comments focused on how addressing issues related to accessibility and education of these products will promote greater health equity in underserved communities.

FQHC Workforce

We continue to work toward the bipartisan introduction of the Developing the Community Health Workforce Act, to be sponsored by Rep. Raul Ruiz (D-CA). We are currently approaching potential Republican lead sponsors and hope to have the legislation introduced soon. We are also working to ensure that workforce needs are incorporated into discussions on the Community Health Center Trust Fund reauthorization, and are very encouraged to see one of our proposals mirrored in the Senate HELP

Committee's Bipartisan Primary Care and Health Workforce Act ([Section 212 - Allied Health Professionals](#)).

ACH recommends \$950 million in FY24 for the National Health Service Corps (NHSC), which was also included in the Primary Care and Health Workforce proposal ([Section 103 National Health Service Corps](#)). We also support the Restoring America's Health Care Workforce and Readiness Act, S. 862, a three-year reauthorization introduced by Senators Dick Durbin (D-IL) and Marco Rubio (R-FL) for the NHSC that would double the mandatory funding from \$310 million to \$625 million in FY24 and increase to \$825 million in FY26. For the Teaching Health Centers Program, ACH recommends an investment of \$5 billion over 10 years.

2023 Health Center Report: Earlier this month, Quest Diagnostics released a report on their [2023 Health Center Survey results](#). More than half of the CHCs said staffing is their current latest challenge, and stabilizing staffing is of the greatest concern. Additional findings include a dramatic increase in the use of behavioral health resources and an increased need for SDOH services.

Emergency Preparedness

ACH continues to work with Rep. Nanette Barragan (D-CA) on the Emergency Preparedness for Underserved Populations Act legislation to create a fund that will help health centers prepare for the next pandemic, natural disaster, or other emergency, and is working to identify a Republican lead sponsor.

The Emergency Preparedness Working Group's latest meeting was held on December 12. The group discussed survey results and priorities for 2024, including workforce resilience and training, funding, and housing concerns. The group aims to focus on emergency preparedness beyond pandemics, as governments and other institutions depend on CHCs in natural disasters and emergency situations but do not include them in funding and priority discussions.

Updates on ACH Priorities

CHC Invest

Community Health Center Reauthorization

Earlier this month, the House passed the [Lower Costs, More Transparency Act](#) with overwhelming bipartisan support (320-71). This bill provides a 10% funding increase - **\$4.4 billion per year through calendar year 2025** - above current levels. This is a substantial step in the right direction for community health center funding and ACH is thrilled the House of Representatives passed it. ACH has been advocating tirelessly since May 2022 for bold investment in community health centers, and we are proud to see that work come to fruition. [Our statement in support of the bill can be found here](#).

The Lower Costs, More Transparency Act contains several other program extensions, including the National Health Service Corps through 2025, the Teaching Health Center Graduate Medical Education Program through 2030, and the Special Diabetes Program through 2025.

Attention now turns to January 19, when the authorization of the CHC Fund expires, following extensions on September 30 and November 17. As the Lower Costs, More Transparency Act moves to the Senate for consideration and negotiations on a final funding level for the CHC Fund reauthorization continue in earnest, we will continue to work with leaders on both sides of the aisle and push for reauthorization of the CHC fund to include the highest possible level of funding - the funding levels included in the [Bipartisan Primary Care and Health Workforce Act](#), which funds health centers at **\$5.8 billion per year for three years**.

In the meantime, you can help keep the conversation going by sharing our latest CHC funding video on your organization's social media channels: https://bit.ly/CHC_v1



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1 in 9 patients who rely on community health centers for primary health care are children.

340B/C

[CMS recently posted its final guidance for using 340B modifiers in compliance with the Inflation Reduction Act.](#) This guidance is a revision to the 340B Modifier Guidance, titled *Part B Inflation Rebate Guidance: Use of the 340B Modifiers*, initially published on December 20, 2022. This guidance revises the modifiers that should be used to report drugs acquired under the 340B Program to align with the policies finalized in the Calendar Year (CY) 2024 Outpatient Prospective Payment System (OPPS) and Ambulatory Surgical Center (ASC) Payment System final rule with comment period.

This revised 340B Modifier Guidance further provides that, for claims with dates of service beginning no later than January 1, 2025, CMS is requiring all 340B covered entities, including hospital-based and non-hospital-based entities that submit claims for separately payable Part B drugs and biologicals to report the “TB” modifier on claim lines for drugs acquired through the 340B program.

Also, **[HRSA has posted a new “patient definition resources” page](#)** to further assist covered entities with 340B Program compliance activities. On this page, HRSA has compiled existing resources on how it conducts audits and determines non-compliance to ensure compliance with the 340B statutory prohibition against diversion. This comes after a federal district court’s ruling last month in *Genesis Healthcare, Inc. v. Becerra*, which called into question HRSA’s ability to enforce its patient definition.

Value-Based Care

Members of the ACH VBC Working Group/VBC Learning Collaborative met on December 12 for a presentation on FQHC collaborations in value-based care arrangements led by Allen Miller, the CEO of COPE Health Solutions. Mr. Miller discussed understanding the various types of risk-bearing arrangements for FQHCs, especially for groups like ACOs and CINs, and reviewed the key competencies needed for FQHCs to succeed in value-based care. Please contact Kristen Constantine for a copy of the recording and/or slides.

The VBC working group is also updating its charter for 2024, and reviewing policy questions from the Duke Margolis Center Health Policy Center.

Monthly Member Highlights

[ACH Puts Value-Based Care into Action](#)

[EBNHC Named 2023 National Quality Leader in Healthcare](#)

Must-Read Articles

[Most Kids Losing Medicaid Come From Just Nine States all Led by Republicans](#)

[Stefanik Applauds Passage of Community Health Center Funding](#)



UPCOMING EVENTS

January 17: [ACH Members-Only Earmarks Webinar](#), 12 p.m. ET, Virtual.

January 18: [What Will 2024 Bring For Telehealth Policy](#), Center for Connected Health Policy (CCHP), 2 p.m. ET, Virtual.

January 31: [ACH Members-Only Office Hours](#), 12 p.m. ET, Virtual.

March 5-7, 2024: [ACH Annual Member Meeting](#) (Washington, D.C.)

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