



# ADVOCATES FOR COMMUNITY HEALTH



## ACH MONTHLY UPDATE: MARCH 2023

[www.advocatesforcommunityhealth.org](http://www.advocatesforcommunityhealth.org)

Dear ACH Members:

We are excited to see you during our upcoming Fly-In, taking place on Tuesday, May 16 and Wednesday, May 17, in Washington, D.C. This two-day event is to specifically push forward our policy priorities on Capitol Hill. There will be a short briefing and preparation session from 2-5 p.m. on Tuesday, May 16, followed by a Lobby Day on Wednesday, May 17. Registration is completely free, so please register [here](#) by Monday, May 1 in order for our team to prepare for your visit. Also, we have secured a room block at the Royal Sonesta Washington DC Dupont Circle. You can book your hotel room [here](#). A more detailed agenda will be available soon!

On issues from 340B to emergency preparedness and workforce, your input helps us iterate on our policy priorities to make a greater impact on the federal level. This is why we have opened the application process for our committees and working groups that will be populated later this year. Committee and working group applications are due Friday, April 21 and more details can be found [here](#).

We recently shared some talking points highlighting our position re: the new ASAP 340B coalition and our continued commitment to our 340C proposal. We are also offering a special 340B-focused Members-Only

Office Hours session on Thursday, April 6 at 12 p.m. ET. We encourage you to join and share the registration link with your teams. Register [here](#) to attend.

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



# POLICY UPDATES

## ACH-Specific Legislation Updates

### Health Equity

Legislation: Congresswoman Yvette Clarke (D-NY) has introduced the [Health Center Community Transformation Hub Act](#), HR 1072, and it currently has 8 cosponsors. We are continuing to work with the Congresswoman to build bipartisan support for the legislation. **If you have not done so already, contact your House members to ask that they co-sponsor HR 0172 – ACH is happy to assist with specific talking points and/or follow up to any of your conversations.**

Administration: CMS will meet with ACH members in April to advance the Health Equity Score pilot project. Recently, researchers developed a dashboard using HESS that shows how equitably Medicare Advantage plans are serving their enrollees in an effort to advance health equity. [Research](#) recently published in The American Journal of Managed Care describes the design and evaluation of a dashboard that presents health equity performance data to Medicare Advantage (MA) contracting organizations to drive quality improvements.

### FQHC Workforce

Legislation: ACH is continuing to work with Rep. Raul Ruiz (D-CA) on the “Developing the Community Health Workforce Act,” legislation to help CHCs retain, train, and attract the workforce they need to serve their patients. We are currently approaching potential Republicans who could partner with Dr. Ruiz to lead this bill and hope to have the legislation introduced soon.

Also, on March 20, ACH submitted a comment letter for the HELP Health Care Workforce Shortage RFI – our full submission can be found [here](#) for your records and reference.

### Emergency Preparedness

Legislation: ACH continues working with Rep. Nanette Diaz Barragan (D-CA) on the “Emergency Preparedness for Underserved Populations Act,” legislation to authorize awards to support emergency preparedness at community health centers. We have approached Rep. John Joyce (R-PA) as a potential

lead Republican cosponsor, although conversations are still ongoing. We hope to introduce this legislation by the end of April 2023.

Please see the [ACH comment letter](#) for Representatives Richard Hudson (R-NC) and Anna Eshoo (D-CA)'s Request for Information (RFI) in preparation of the upcoming Pandemic and All Hazards Preparedness Act (PAHPA) reauthorization due by September 30. We will submit a similar comment letter to the HELP Committee.

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## Updates on ACH Priorities

### 340B

ACH continues to engage both stakeholders and Hill offices on 340C. Since the launch of the ASAP 340B Coalition, interest in and enthusiasm for 340C as a possible path forward – particularly as an intermediary step ahead of full program reform – has gained considerable momentum. Discussions with stakeholders includes several hospital groups, the Ryan White community, hemophilia groups, PhRMA (both the association and individual manufacturers), and others. On the Hill, several offices in both the House and Senate have responded with openness and interest in exploring how to advance 340C. We are also staying in close contact with PCAs to ensure their awareness of Hill outreach as well as collaboration to move 340C forward. We will keep members updated as our work continues. If you are having conversations about 340C with members of your Congressional delegation, please let us know – we are happy to join and/or support you in the discussion and want to follow up appropriately with those that are receptive.

### CHC Invest

On March 20, ACH provided CHC Invest recommendations to the Senate Health, Education, Labor and Pensions Committee in response to their request for information on workforce issues. Specifically, we recommended increasing funding for the National Health Service Corps to \$950 million and for the Teaching Health Center program to \$5 billion over ten years.

Also on March 20, ACH met with Jim Macrae from HRSA and advocated for:

**1)** additional funding to health centers as patient populations grow; **2)** patient care funding rather than brick-and-mortar funding for new centers, and **3)** scoring for priority points, possibly by patients served and badges health centers earned.

Jim conveyed he is meeting with HRSA administrator Carole Johnson on March 27 regarding new funding opportunities and other issues. ACH has provided feedback to Jim to support his discussion with the Administrator.

ACH continues to push CHC Invest with key offices in both the House and Senate calling out the sizable increase in funding we are requesting balanced with the need and realities facing health centers. While the Senate is likely to put forward considerably higher funding numbers for the Health Center Program, NHSC and THCs, the House continues to signal limited appetite for any increase what so ever. ACH is working with leadership as well as key committee members to ensure that the true need and potential impact of flat or decreased funding is understood by all. We will keep members updated as the appropriation and reauthorization process progresses. In the interim, we encourage all members to be in regular contact with the members of Congress to advocate on the importance of increased, sustained funding.

Lastly, ACH met with the Congressional Budget Office to discuss their upcoming work evaluating budget issues related to the Community Health Center Trust Fund Reauthorization. This meeting was coordinated by staff for HELP Committee Chairman Bernie Sanders and will help inform what is included in the reauthorization package.

## Value-Based Care

ACH is working on upcoming meetings for the VBC group, including a learning collaborative open to everyone. Earlier this week, the Primary Care Collaborative hosted a webinar for their members called “How ACOs and Payers Can Support the Primary Care Safety Net”. The webinar highlighted CityBlock, Boston Medical’s ACO and the new Massachusetts waiver, and the Community Care of North Carolina. Themes of the webinar included 1) Importance of accountability, clinical innovation, and getting the right metrics to get the outcomes we need; 2) Partnerships and relationships, such as CBOs, across health plans, with practices, and patients. 3) The need for trust, especially with communities with challenges and structural racism. Slides are available [here](#).

## Innovation

**Telehealth:** ACH will comment on a [proposed rule](#) for Telemedicine Prescribing of Controlled Substances When the Practitioner and the Patient Have Not Had a Prior In-Person Medical Evaluation (DEA-407) and Expansion of Induction of Buprenorphine via Telemedicine Encounter (DEA-948). We will focus advocacy against the proposal to require buprenorphine to require an in-person medical evaluation. Comments are due on March 31.

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## The Latest News From DC

**Debt Ceiling:** Both sides are still dug in with mutually exclusive positions. At some point, something has to give - either Democrats agree to some spending cuts to lift the debt ceiling or Republicans fold and agree to raise the cap and keep negotiating.

**HHS Secretary Xavier Becerra and Upcoming Hearings:** Secretary Becerra had a busy two weeks, as he testified before both the Senate Finance Committee and the Senate Appropriations Labor, Health and Human Services, and Education Subcommittee last week alone. While he is ostensibly before these panels to discuss his agency’s FY2024 budget proposal, he faced questions from Republicans on a range of topics, including Inflation Reduction Act implementation, telehealth, and PBMs. While Becerra focused on the Senate last week, he defended the President’s budget in the House this week at the Energy & Commerce Subcommittee on Health and a Ways & Means hearing.

At Ways & Means on March 28, the hearing themes included drug pricing—including IRA implementation, Medicare drug cost negotiation, and pharmacy benefit managers—as well as hospital cost transparency, reproductive rights, telehealth extension, and workforce shortages. Rep. Miller lamented that congress added 1,000 graduate medical education (GME) spots, with guardrails to provide these slots to rural areas, but that 20 percent of these spots went to New York alone. Secretary Becerra expressed his commitment to expanding GME slots in rural areas.

During the March 29 Energy and Commerce Hearing, Major topics were similar to the Ways & Means hearing, specifically including the Inflation Reduction Act’s (IRA) drug pricing provisions, access to Alzheimer’s treatments, workforce shortages, Pharmacy Benefit Managers (PBMs) oversight, and the fentanyl crisis. Ranking Member Frank Pallone (D-NJ) argued that Medicaid “is not just important to cities, it is important to hospitals, nursing homes, and community health centers in rural Republican districts.” The Secretary stated that the National Center for Health Workforce (NCHWA) is analyzing data to understand where the shortage is both geographically and professionally. He also promised increasing GME, scholarships, and loan repayment programs. For PBMs, the secretary promised transparency asked members to provide HHS with the statutory authority to make the necessary changes to 340B through rulemaking.

**Fiscal Year 2024 Appropriations and Earmarks Process:** The various appropriations subcommittees have scheduled nearly 32 hearings over the next few months, with the goal of considering spending bills on the floor this summer. However, it seems unlikely that Congress can pass any such bills until there is

resolution on the debt ceiling. Again, progress on that issue is paramount. Meanwhile, House leadership announced that there will be no earmarks in the Labor, HHS appropriations bill, while the Senate plans to proceed with them. We are hearing that the Senate expects its own "Labor H" earmarks to remain in whatever final bill is approved.

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## Congressional Committee Updates

On March 22, the Senate Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies [held a hearing](#) reviewing the President's FY 2024 Funding Request and Budget Justification for the Department of Health and Human Services.

- [Secretary Becerra's testimony](#) discussed how the **health center budget** will provide care for about 33.5 million patients, expanding and retaining the health center workforce through the new wellness program, and \$20M to expand partnerships between health centers and NCI-designated Cancer Centers.
- When Senator Tom Carper (D-DE) asked what top 3 areas Congress should focus on for reauthorizing the FQHC program, Secretary Becerra responded, (1) let them expand them to rural areas, (2) let them expand their services, and (3) pass the president's budget on FQHCs because it expands the scope for what they provide in their communities.
- When asked about **PBMs** not being in the budget proposals, Becerra and Congress both affirmed partnerships to work on PBM issues.

On March 23, the House Appropriations Committee hosted a [Public Witness Day](#) for the Labor, Health and Human Services, and Education Subcommittee. This is an opportunity for a limited number of members of the public to testify before the subcommittee on issues under their jurisdiction.

On March 30, the Senate Finance Committee held a hearing about PBMs on, with members of each party taking shots at the industry. "It's increasingly apparent that PBMs are using their data, their market power and their know how to keep prices high and pad the profits instead of sharing the benefits of prices, and negotiate with consumers in the Medicare program," said Finance Committee Chair Ron Wyden (D-OR). Ranking Member Crapo expressed concerns about lifesaving medications remaining out of reach for most Americans. Although Medicare Part D is a massive success story, the Committee should build on the parts of Part D that work well, but address any access and affordability gaps. The Committee needs to find fiscally responsible avenues to lower out of pocket costs, increase competition, and promote access to innovation.

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## Administration

**CMS:** They released its initial guidance regarding implementation of the Medicare Drug Price Negotiation Program. The policy document provides context on the criteria CMS will use (including annual revenue, sales volume, and R&D costs) for selecting the 10 Medicare Part D drugs for the negotiation program's first year (2026). The agency plans to announce the list on Sept. 1 after collecting public comments.

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### Must-Read Articles

[ACU Commends Bipartisan Initiative to Fund the NHSC](#)

[LifeLong's Dr. LeNoir: The System Views Black Patients Differently](#)

[Medicare and People with HIV](#)

## Member Highlight

[Morris Heights Health Center](#)



# UPCOMING EVENTS

**April 6:** [340B-focused Members-Only Office Hours](#)

**May 16-17:** [ACH Fly-In Registration](#), *Washington, D.C.*

**June 7-8:** "[CMS Health Equity Conference](#)", Inaugural event. Registration and Call for Proposals to open soon. *Washington, D.C. and Virtual.*

**July 23-26:** [ACU's 2023 Conference, Transformation: Elevating Care, Clinicians, & Communities](#), *Washington, D.C.*

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