

Regulatory and Legislative Changes Impacting Serious Illness Care

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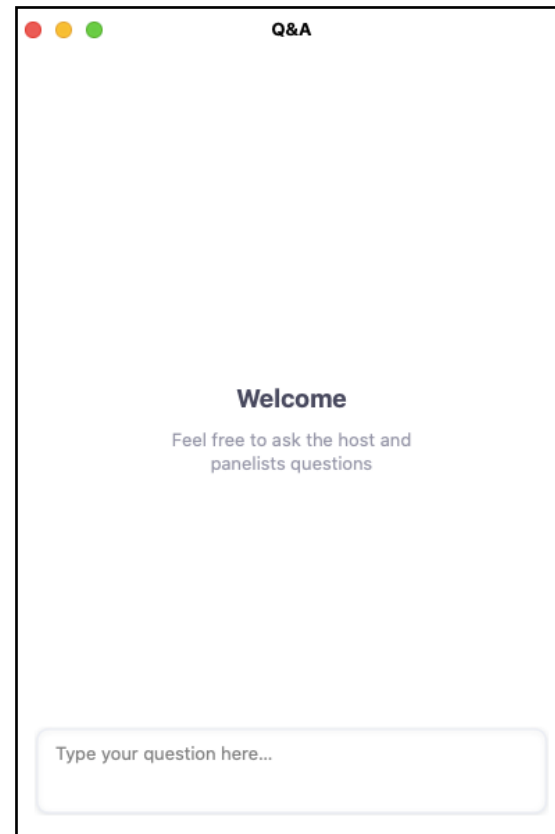
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2. Type your question. Hit Return or Enter to submit.



Objectives

1. Provide an overview of the general policy environment regarding care for serious illness
 2. Present key regulatory and payment model actions taken to date
 3. Discuss Congressional champions for serious illness care and key pieces of serious illness legislation
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Serious Illness Policy Progress

- Biden Administration proposing health, equity, and caregiving infrastructure spending
 - CMS supporting continued shift to value-based care
 - Major rules and models affecting those with serious illness
 - Congressional support for serious illness legislation
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Equity in Today's Policy Environment

- Part of C-TAC's [policy agenda](#) and overall work as a priority
- Gratified Biden Administration addressing equity as well




Biden Administration and Regulatory Opportunities

Marian Grant, Senior Regulatory Advisor



Key Current Proposed Regulations


- Hospice
 - Home Health
 - Hospital Inpatient and Outpatient payment systems
 - Physician Fee Schedule
 - ESRD payment system
 - Surprise billing
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C-TAC Regulatory Comments

- [HIPAA Privacy Rule](#)

- Supported allowing better access health information, facilitating value-based care by modifying provisions that currently limit care coordination and case management communication
- Concern that, while rule allows more community organizations to access protected health information, does not address need for financial or capital investment for information management systems to do so

- [Hospice proposed rule](#)

- Supported making waivers granted during pandemic permanent
 - Suggested delaying proposed changes to reporting program
 - Responded to request for information on post-acute care interoperability
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Payment Policy Opportunities

- Pandemic revealed flaws in fee-for-service
- Value-based shift will continue, but involves risk and needs appropriate measures
- Risk adjust for social determinants of health
- Ensure payment addresses racial disparities



Alternative Payment/Care Models

- CMS making changes to existing models to address equity (ESRD model payment)
- New CMMI leadership and strategy
- C-TAC's developing core principles for models caring for those with serious illness, more to come



Congressional Update

Brian W. Lindberg, Senior Public Policy Advisor




The Latest – Policy, Politics, and Process


- The Biden-Harris Agenda
 - American Rescue Plan – P.L. 117-2
 - The American Jobs Plan
 - The American Families Plan
 - Biden-Harris FY 2022 Budget Proposal




Our Agenda in Washington Today

- Bipartisan
 - Bicameral
 - Data and experience-driven
 - Forward-looking & respected
 - C-TAC always looking for opportunities within overarching health issues
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2021 Legislative Policy Priority Highlights

- Advance Care Planning - Ensuring accessibility and use of advance care planning counseling, advance directives, and other advance care planning documents.
 - Community-Based Supports and Services - Bridging medical care and social services by developing and advocating for new policy and programmatic channels to integrate aging and disability network services into all models.
 - Care and Payment Models - Encouraging successful implementation of several existing CMMI models, including the Primary Care First-Seriously Ill Population (SIP) Model, and supporting additional models that incorporate home-and community based serious illness management and non-medical services.
 - Caregiver Support - Supporting family caregivers of individuals with serious illness.
 - Telehealth- Provide flexibility for providing care, treatment, training, and assessment.
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Legislation for Introduction

- *Expanding Access to Palliative Care Act (S.2565)*
 - *The Patient Choice and Quality Care Act of 2017 (S.1334/H.R.2797)*
 - *The Removing Barriers to Person-Centered Care Act of 2019 (S.829)*
 - *Palliative Care and Hospice Education and Training (PCHETA) Act (S.2080/H.R.647)*
 - *The Compassionate Care Act of 2020 (S.4945)*
 - *Medicare Choices Empowerment and Protection Act (S. 618)*
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Key Health Care Policy Committees

Senate Finance

Committee Chair: Ron Wyden (D-OR)
Ranking Member: Michael Crapo (R-ID)

Health, Education, Labor & Pensions

Committee Chair: Patty Murray (D-WA)
Ranking Member: Richard Burr (R-NC)

Energy & Commerce

Committee Chair: Frank Pallone (D-NJ)
Ranking Member: Cathy McMorris
Rodgers (R-WA)

Subcommittee on Health Chair: Anna Eshoo (D-CA)
Subcommittee Ranking Member: Michael Burgess, M.D.
(R-TX)

Ways & Means

Committee Chair: Richard Neal (D-MA)
Ranking Member: Kevin Brady (R-TX)


Subcommittee on Health Chair: Lloyd Doggett (D-TX)
Subcommittee Ranking Member: Devin Nunes (R-CA)




Champions/Potential Champions

SENATE	HOUSE
Warner D-VA	Panetta D-CA-20
Blumenthal D-CT	Walorski R-IN-2
Rosen D-NV	Blumenauer D-OR-3
Whitehouse D-RI	Buchanan R-FL-16
Barrasso R-WY	Reed R-NY-23
Fischer R-NE	Bonamici D-OR-1
Baldwin D-WI	Doggett D-TX-35
Smith D-MN	Underwood D-IL-14
Capito R-WV	
Cassidy R-LA	
Collins R-ME	
Casey D-PA	
Brown D-OH	
Wyden D-OR	
Young R-IN	
Braun – R-IN	

Positive Outlook for the 117th

- Higher appreciation for advance care planning
 - Some signs of bipartisanship
 - Quality care and costs driving still part of discussions
 - Continued commitment to value-based payment
 - Reconciliation could be a vehicle for significant policy change
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Equity Legislative Policy

- At the core of our policy agenda is a commitment to advancing equity and dismantling systemic barriers to high quality serious illness care for traditionally underserved communities.
 - Removing financial obstacles to quality serious illness care for low-income minority individuals, such as cost-sharing and deductibles.
 - Providing better access to preventive care and chronic care management in appropriate settings.
 - Increasing access to culturally and linguistically appropriate (CLAS) translation services.
 - Public education - Fund on-line consumer information on Advance Care Planning (ACP) that is culturally and linguistically appropriate.
 - Provide funds for purchase and use of vans, UBER use, etc. for individuals with serious illness to ensure access to health care and other supports and services, particularly in low-income communities
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Questions & Answers



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