



## OVERVIEW OF FALL 2021 CONGRESSIONAL PRIORITIES

TUESDAY, SEPT. 28TH FROM 2-2:45 PM EDT

JOIN US FOR OUR MONTHLY  
POLICY & POLITICS WEBINAR!



**CASSIE LEONARD**  
DIRECTOR OF CONGRESSIONAL  
AFFAIRS, CHIME



**STUART CHAPMAN**  
PARTNER  
THORN RUN PARTNERS



BE INFORMED. BE INVOLVED.

## TAKE THE CYBERSECURITY IMPACT SURVEY 2021

AEHIS IN COLLABORATION WITH  
CHIME PUBLIC POLICY

[Click here to take the survey!](#)

Deadline is Sept. 30



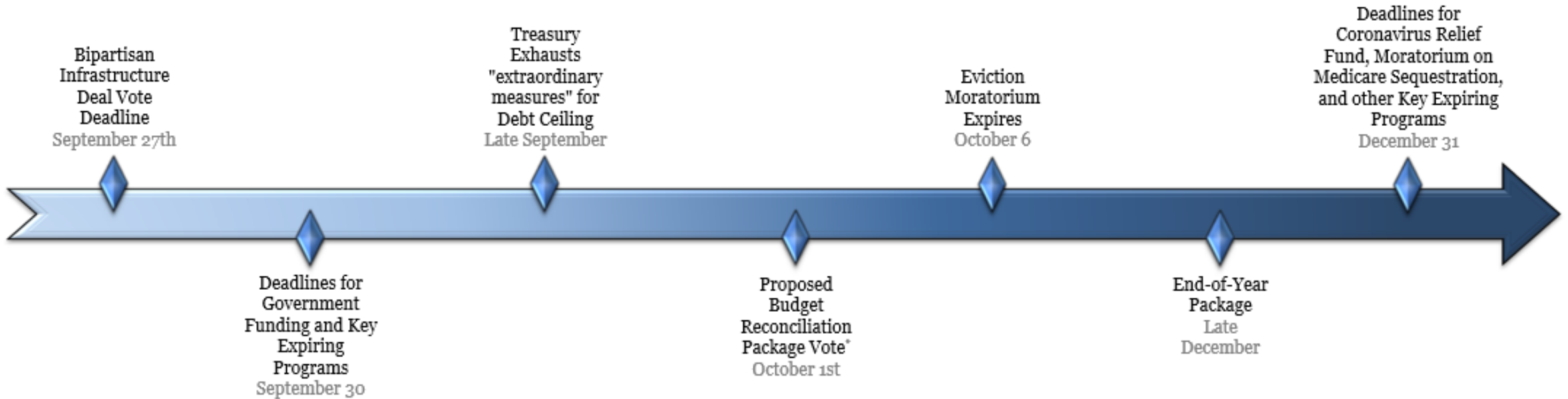
Be informed.  
Be involved.

# Overview

- I. The Past Week & Fall Legislative Timeline
- II. Bipartisan Infrastructure Bill
- III. Reconciliation Package
- IV. Appropriations Status Update
- V. End-of-Year Spending Package Prospects
- VI. Outlook Heading into Midterms

# Fall Legislative Timeline

*With the mid-term elections expected to eclipse much of next year's legislative calendar, Congress and the White House have an ambitious agenda for the rest of the year.*



# The Past Week: NDAA, CR, Debt Ceiling, Reconciliation, and Infrastructure

- CR/Debt Ceiling: On Tuesday, the House passed a bill that included a short-term continuing resolution (CR) + a debt ceiling extension
  - Rejected by Senate Republicans last night
  - Debt ceiling will have to be dealt with separately
- NDAA: On Thursday, the House passed the \$768 billion NDAA by a vote of 316 to 113
- Reconciliation: On Saturday, the House Budget Committee approved the \$3.5 trillion framework during a virtual markup
- BIF: Yesterday, the House started debate on the BIF. A vote on final passage is scheduled to take place later this week

# Bipartisan Infrastructure Bill—"A Road to Stronger Economic Growth"

- Known by many names: Infrastructure Investment and Jobs Act, Bipartisan Infrastructure Framework (BIF), Bipartisan Infrastructure Deal (BID), Phase I
- 2,700 pages; [Summary](#)
- Passed Senate on Aug. 10
- \$550 billion in new physical infrastructure investments (roads, bridges, etc.) over five years and is partially offset
- Includes \$65 billion in grants to states for broadband deployment and \$47.2 billion for resiliency which includes cyber
- Speaker Pelosi agreed to hold vote in House by Sept. 27
  - Slipped; vote on final passage scheduled for Thursday

# How will the \$65 billion for broadband be spent?

- \$42.5 billion to states to fund broadband development networks
- \$14.25 billion for an affordable connectivity benefit
  - \$30 per month voucher for low-income families
- \$2.75 billion for the Digital Equity Act (Murray/Portman/King)
  - Digital literacy
- \$2 billion for tribal grants
- \$2 billion in additional support for rural areas
- \$1 billion for "middle mile"
- \$600 million for the Rural Broadband Financing Flexibility Act (Hassan/Capito)
  - Private activity bonds

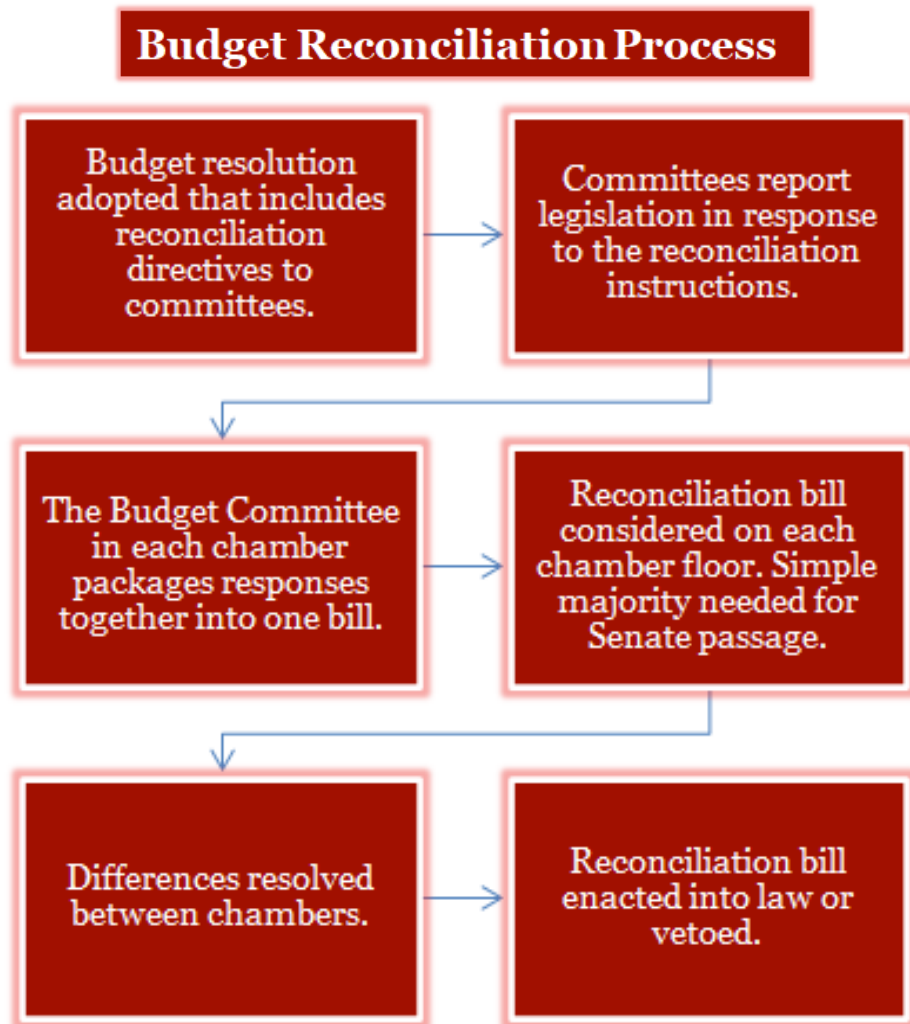


# What about the money for cyber resiliency?

- Energy sector: Multiple titles to enhance grid security through public private partnerships, grants and technical assistance, and more
- \$1 billion for a new State, Local, Tribal, and Territorial grant program
  - Administered by FEMA with consultation from CISA
- \$157.5 million for DHS Science and Technology Directorate for Research and Development
- \$100 million for Cyber Response and Recovery Fund
- \$35M in FY22 for CISA Sector Risk Management
- \$21M to the Office of the National Cyber Director, which will be available until September 30, 2022



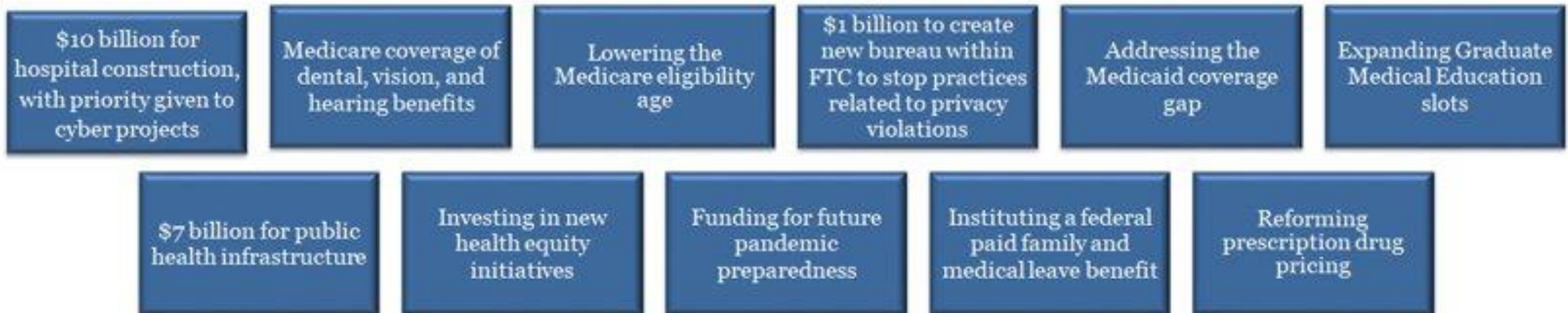
# Reconciliation



- Build Back Better Act, Phase II, "human infrastructure"
- \$3.5 trillion framework
- Includes investments in healthcare, education, clean energy, tax reform, labor, housing, among other areas
- Moderate and progressive Dems are at odds over the size and scope of the package
- The Latest: the House Budget Committee approved the framework over the weekend

# Health Policy Provisions on the Table for Reconciliation

*calls for a series of broad policy proposals pertaining to health care, including:*



# Appropriations Status Update

- The House and Senate are working through the 12 spending bills for FY 2022, though Congress will need to pass a continuing resolution (CR) **this week** to avoid a government shutdown.
- **House.** Disagreements over police funding, immigration, and the Pentagon's budget have stalled the process on appropriations bill from Commerce-Justice-Science, Homeland Security, and Defense, respectively.
- **Senate.** Only three bills have passed the full committee, and a timeline for consideration on the Senate floor is unclear as of now.

## Context

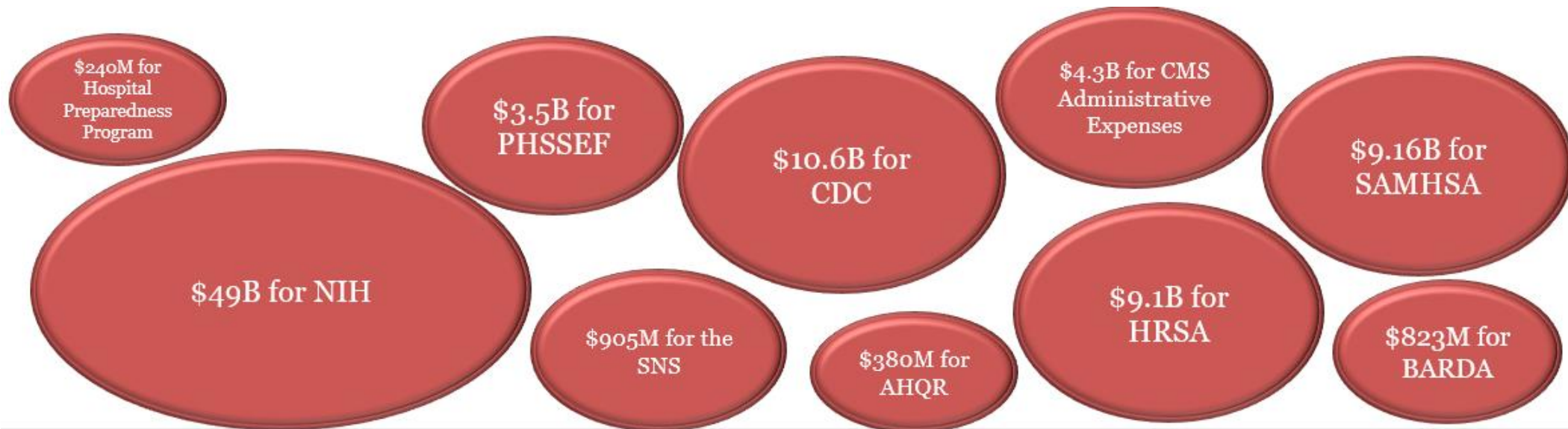
Last year, Congress did not pass an omnibus spending bill until December, and lawmakers appear to be following a similar timeline as negotiations continue. This year's package is being slowed over defense, criminal justice, and the Hyde Amendment.

# Appropriations Overview

Status of FY2022 Appropriations Bills		
Subcommittee Bill	House Status	Senate Status
Agriculture-Food and Drug Administration	Passed House	Passed Full Committee
Commerce-Justice-Science	Passed Full Committee	Not Yet Introduced
Defense	Passed Full Committee	Not Yet Introduced
Energy-Water Development	Passed House	Passed Full Committee
Financial Services and General Government	Passed House	Not Yet Introduced
Homeland Security	Passed Full Committee	Not Yet Introduced
Interior-Environment	Passed House	Not Yet Introduced
Labor-HHS-Education	Passed House	Not Yet Introduced
Legislative Branch	Passed House	Not Yet Introduced
Military Construction-Veterans Affairs	Passed House	Passed Full Committee
State-Foreign Operations	Passed House	Not Yet Introduced
Transportation-Housing-Urban Development	Passed House	Not Yet Introduced

# Labor-HHS-Education Appropriations Bill

- Passed the House but has not yet been introduced in the Senate.
- The bill provides a total of \$119.8 billion for HHS, an increase of \$22.9 billion above the FY 2021 enacted level and \$129 million below the President's budget request.





# Unique Patient Identifier (UPI) Appropriations Issue

- July: House removed Section 510 for the third consecutive year
- Unclear whether the Senate will remove the language
- Still do not have a Senate champion (R or D)
- We are also waiting for ONC to release a report to Congress that was due last year
- How you can help: write your Senator and ask them to support lifting the ban!

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

# End-of-Year Package Prospects

- Telehealth
  - Could see a 1-year or 2-year extension of pandemic flexibilities
- Medicare Sequestration
  - The American Rescue Plan extended until January 1, 2022 the current reprieve from the 2 percent sequester stemming from the Budget Control Act of 2011. Those cuts are currently slated to kick back in this January.
- Substance Abuse/Mental Health legislation
- Coronavirus Relief Fund for States and Localities
  - The CARES Act created a \$150 billion Coronavirus Relief Fund for states, local governments, tribes, and territories. State and local governments must spend or lose remaining funds given to them by the end of 2021, under an extension provided in the December COVID relief and omnibus package.



# Outlook Heading into Midterms

## House:

- Democrats hold a 5-seat majority: 220-212 with 3 vacancies
- Minority party often gains seats in midterms
- A lot of unknowns including redistricting and President Biden's approval rating among voters

## Senate:

- 50-50 split in Senate
- 20 seats held by R's are up for election as opposed to 14 held by D's
- The 3 most vulnerable seats are held by Republicans: Burr, Toomey, and Johnson
  - Cook Political Report has them as "toss ups"
  - 2 out of the 3 are retiring

## Webinar: [Real-World Application of Information Blocking Rules in Healthcare](#)

- When? Friday, Oct. 1 at 12:00 pm EDT
- Andrew Tomlinson, CHIME's Director of Federal Affairs, Lauren Riplinger, Vice President of Policy and Government Affairs at the American Health Information Management Association (AHIMA), and Genevieve Morris, Senior Director of Clinical Interoperability Strategy at Change Healthcare will discuss best practices, compliance training, and real-world perspectives of handling information requests after the April 5th information blocking provisions of the 21st Century Cures Act went into effect.

## Cyber Webinar: [Voluntary Cybersecurity Best Practices: 405\(d\). What are they, Why is Congress supporting them, and Why they will become increasingly important?](#)

- October is Cybersecurity Awareness Month and we have many activities planned to draw more attention to this critical issue and ways to improve our sector's posture.
- Join us on Thursday, Oct. 14 at 1:00 p.m. EDT for a cybersecurity webinar on 405(d)
- Not sure what 405(d) is? Join us as we breakdown these voluntary, cybersecurity best practices tied to the NIST cybersecurity framework (CSF) that have been co-developed by our sector and the U.S. Department of Health & Human Services (HHS). We will also highlight congressional efforts to promote these tools.
- Presenters:
  - Erik Decker, AVP and CISO at Intermountain Healthcare
  - Julie Chua, GRC Director at the U.S. Department of Health and Human Services (HHS)
  - Mari Savickis, Vice President of Public Policy at CHIME
  - Cassie Leonard, Director of Congressional Affairs at CHIME

# Have Questions?

Reach out at [policy@chimecentral.org](mailto:policy@chimecentral.org)