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**February 2, 2021**

*Welcome to America's Physician Groups' "Healthcare on the Hill," where you can get the latest on healthcare happenings in our nation's capital--and with a special focus on the value-based care movement.*

*As our nation--and the world--continues to face the many challenges presented by COVID-19, we are working to ensure you have the very latest information on the virus and our rapidly changing healthcare landscape.*

*Think someone else may enjoy "Healthcare on the Hill?" **Forward this email and have them click [here](#) to be added to our subscription list.** And remember, you can always visit our [website](#) for more news and resources.*

*Valinda Rutledge  
Executive Vice President of Federal Affairs  
America's Physician Groups*

### **Senate Strikes Deal on Power Sharing Agreement**

Last week, the Senate was able to come to a [deal](#) on how to share power in a chamber that is split 50-50 between the Republican and Democratic parties. The deal is modeled after a similar deal that was made in 2001, the last time the chamber was divided equally. It will provide for equal numbers of members on Senate committees and a process for discharging bills and nominations that end in deadlock ties where the bills will still be sent to the full Senate floor. There will be equal staffing levels and office space and a provision that keeps the majority and minority leaders from using the process of filling the

“amendment tree”, a procedural tool that precludes the offering of amendments.

The Senate has been operating without a deal, which froze committees from the previous Congress with Republicans holding the majority and all chairmanships. The deal was struck after Senate Minority Leader Mitch McConnell (R-KY) was assured that the 60-vote legislative filibuster would remain in place. The Senate must now codify the power-sharing deal, most likely through a resolution once Senator Elizabeth Warren (D-MA) returns from quarantine.

### **Acting HHS Secretary Appointed as Becerra Nomination Lingers**

Department of Health and Human Services (HHS) Deputy Assistant Secretary Budget Norris Cochran is currently serving as Acting Secretary of the Department as HHS Secretary nominee [Xavier Becerra](#) continues to await confirmation in the Senate. Cochran is serving as Acting Secretary according to the department’s order of succession. The Senate Committee on Finance is expected to take up the Becerra nomination sometime this month. The Senate Committee on Health, Education, Labor and Pensions, which also typically conducts a hearing for the HHS nominee, has not made any announcements about its plans for Becerra.

### **Energy and Commerce Committee to Hold COVID-19 Vaccination and Testing Hearings**

The House Committee Energy and Commerce is expected to hold two hearings over the next two days on the ongoing response to the COVID-19 pandemic. On Tuesday, February 2, 2021 at 11:00am EDT, the Committee will hold the [NO TIME TO LOSE: SOLUTIONS TO INCREASE COVID-19 VACCINATIONS IN THE STATES](#) hearing. The hearing will focus on the need to increase the rate of COVID-19 vaccinations nationwide. State health officials from across the country will testify about the challenges they face in distributing the vaccines and what more Congress and the federal government can do to improve the national vaccination effort.

On Wednesday, February 3, 2021 at 11:00am EDT, the [ROAD TO RECOVERY: RAMPING UP COVID-19 VACCINES, TESTING, AND MEDICAL SUPPLY CHAIN](#) hearing. The hearing will include public health experts that will testify about what led to ongoing supply, distribution, and access concerns, what actions are being taken to successfully address those issues, and what more needs to be done as we chart a unified path out of this public health crisis.

### **Biden Issues Executive Order to Clarify the Coverage of COVID Testing**

In the series of recent Executive Orders signed by President Biden related to COVID, the Administration may soon require that insurers cover the cost of COVID testing as part of its “back-to-work and back-to-school” screening programs. The prior Administration required insurers to cover testing; however, Biden would like further clarification to ensure those

who do not have symptoms will still be covered.

### **APG Applauds Bipartisan Audio-Only Telehealth Bill**

APG issued a [press release](#) last week applauding Senators Catherine Cortez Masto (D-NV) and Tim Scott (R-SC) for their bipartisan bill, **Ensuring Parity in Medicare Advantage for Audio-Only Telehealth Act of 2021**. The bill would require the Center for Medicare & Medicaid Services (CMS) to consider diagnoses from audio-only telehealth visits for payment in Medicare Advantage (MA) plans as if they were in-person visits during the COVID-19 public health emergency.

APG has been a strong proponent of changes in [telehealth regulations](#) in Medicare, including adding ‘telephone without video capability’ coverage in both traditional Medicare and MA. APG also recommended that CMS lift its requirement that patients have a prior relationship with their doctor in order to use telehealth services, and allow licensed non-physicians (nurse practitioners, physician assistants, registered nurses, and respiratory therapists) to bill for telehealth. These additional flexibilities will assist in strengthening the continued response to the ongoing COVID-19 public health emergency.

### **APG and CareJourney Host a Deep Dive Webinar on Direct Contracting**

Registration is open for APG’s and CareJourney’s webinar on the “***The Five W’s of the DCE Model: What You Need to Know***”.

**Tuesday, February 16 from 12:00 pm to 1:15 pm ET.**

[Register here](#)

Do you break out in a sweat at the idea of moving your organization to a Direct Contracting Model? Have you thrown up your hands and not applied because it all seems far too complicated and too risky? Stop. Before you make any decisions about whether or not to participate in a Direct Contract Entity (DCE), you should register for this [must-attend webinar](#) to understand the Who, What, Why, When, and Where of the DCE Model. Our lineup of Gold Star experts will demonstrate the value of this sophisticated payment model and teach you the key decision points to consider before deciding to go forward in a Professional, Global, or Geographic Model. If you are one of the organizations that has struggled under fee-for-service during the COVID-19 pandemic, you definitely should not miss this webinar!

**Aneesh Chopra**, President of CareJourney, and **Valinda Rutledge**, Executive Vice President of Federal Affairs for America’s Physician Groups will host an exciting speaker

lineup:

**Pauline Lapin**, Director, Seamless Care Models Group at CMS Innovation Center

**Dr. Robert Stone**, Senior Medical Director, Central Ohio Primary Care

**Raj Shrestha**, CEO, Castell, an Intermountain Healthcare Company

**Melanie Matthews**, CEO, Physicians of Southwest Washington

**Gary Jacobs**, Executive Director, VillageMD Center for Public Policy

**Our panel will cover:**

- Brief overview of the 3 types of Direct Contracting Models (Professional, Global, Geographic):
  - Timeline, stages, and organizational archetypes
  - How to address health equity
- Key data elements and metrics critical to making optimal strategic decisions:
  - Providers to consider for contracting agreements
  - Identifying actionable opportunities for quality improvements
- How to take advantage of DCE and other CMS initiatives like interoperability to:
  - Reveal patient- and provider-level insights
  - Initiating the appropriate care intervention opportunities
- Lessons learned from experienced APG and CareJourney members on how they approached the decision whether to participate



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