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Welcome to "Washington Update," the weekly e-newsletter on the latest health care happenings in the nation's capital that affect APG's members.

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PHE Extension Met with Relief, Questions by Medical Community

As expected, the Biden Administration announced its latest extension of the COVID-19 Public Health Emergency (PHE) on October 13, signaling that many pandemic-era payment and regulatory flexibilities in such areas as telehealth will remain in place well into 2023, if not beyond.

The latest extension, which extends the PHE to January 11, 2023, buys more time for Congress to make further legislative changes in such areas as Medicare coverage for telehealth. Legislators acted earlier this year to extend many telehealth flexibilities for 151 days after the PHE ends, and are now considering other APG-supported legislation that would either extend these flexibilities for

another two years or make some pandemic-era telehealth payment provisions permanent.

Congress is also considering a [bill](#) that would extend the Acute Hospital at Home waiver for two years after the end of the PHE – thus, at least into 2025. APG will continue to work with key members of Congress in support of these extend the provisions.

CBO Examines Promoting Competition Among Physicians by Targeting Their Market Power

Washington Update reported last week on a new Congressional Budget Office report that evaluated [three different options](#) for lowering commercial payments to doctors and hospitals, the most draconian of which was regulating providers' prices. An alternative that CBO also examined was increasing competition, or what it described as "targeting the market power of hospitals and physicians."

CBO cited several means of boosting competition, including increased antitrust enforcement, reduced incentives for consolidation, and prohibition of anticompetitive contracts between insurers and physicians. For example, a ban on non-compete clauses in physician contracts would give doctors more freedom to quit and compete against a former employer. Depending on which policies were implemented, CBO calculated that physicians' payment rates would fall between 1 percent and 3 percent. CBO also projected that commercial plans would pass along 85 percent to 100 percent of the savings in the form of reduced premiums.

As reported, it is unclear what impact the CBO report could have, and it may or may not be fodder for future congressional policy discussions. House Republicans, who are expected to win the majority in the November elections, have begun to examine different health policy options for lowering costs through the work of the [Healthy Future Task Force](#). Enhancing competition could emerge as their preferred alternative to greater regulation of private markets. APG will monitor future activity and keep members informed.

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