



## Policy Brief

April 2, 2021



### Medicare Sequester Relief: Round Two Coming Soon

The health care industry has been hit hard by the COVID-19 pandemic. The financial fallout caused by cancelled or postponed elective surgeries along with costs associated with COVID-19 treatment have strained hospitals' bottom lines. To help, Congress has voted to further extend [Medicare sequester cuts](#) until December 31, 2021. However, the bill is not expected to be signed until April 13, 2021, two weeks after the current sequester relief expires on March 31<sup>st</sup>. Read more about sequestration, the sequester relief bill and what to expect in the interim.

#### What is Medicare sequestration?

The Budget Control Act of 2011 [requires mandatory](#) across-the-board reductions in certain federal spending types, which is known as *sequestration*. Medicare claims with dates-of-service or dates-of-discharge on or after April 1, 2013, incur a 2% reduction in Medicare payment.

#### What's the status of sequester relief?

Congress [included sequestration relief](#) as it applies to Medicare payments in the Coronavirus Aid, Relief and Economic Security (CARES) Act. The CARES Act exempted Medicare from sequestration from May 1, 2020, through December 31, 2020. The Consolidated Appropriations Act of 2021 extended this sequester relief through March 31, 2021. The [House](#) voted on March 19<sup>th</sup> to extend sequester relief until December 31, 2021; the [Senate](#) followed suit on March 25<sup>th</sup>. The bill will now move back to the House for final approval before getting signed into law, however, the House won't be able to take up the measure until April 13<sup>th</sup>. The measure is expected to pass and provide much-needed relief to the U.S. hospital system.

## What happens in the interim?

There are [concerns](#) with the interim period between the bill becoming law and the March 31<sup>st</sup> expiration of the old sequester relief. "If the Senate does act before [the moratorium expires], it sends a strong signal for CMS to hold those claims about a week or so until the House comes back and approves the Senate action," said AHA President Rick Pollack. There is a precedent for CMS delaying enforcement of legislation. In 2015, CMS [delayed](#) enforcement the Recovery Audit Contractor (RAC) until the Senate could reconvene and vote on the measure. On March 30<sup>th</sup>, CMS [instructed](#) the Medicare Administrative Contractors (MACs) to hold all claims with dates of service on or after April 1<sup>st</sup> for a short period of time.



## Going Viral: Combatting Vaccine Misinformation on Social Media

This year, articles and other posts falsely connecting COVID-19 vaccination with death have been some of the [most popular](#) online content this year. This spread of incorrect information severely undermines the public's ability to make informed decisions, prompting Congress to call the CEOs of Facebook, Google and Twitter to testify on their role in promoting "[extremism and misinformation](#)." Retiree communities have increased their usage of technology, including social media, to stay connected during the pandemic, helping to curb loneliness and isolation but also [increasing their chances](#) of being targeted by disinformation campaigns. Below is more on the impact of vaccine misinformation on public health and how health systems can combat it.

### **Fighting misinformation is a critical part of health systems' pandemic responses.**

More than [59 million](#) social media accounts follow individuals who actively spread medical propaganda; some of these pages garner [billions of views](#) each year. The public policy problem created by social media is a tricky one. Lawmakers have begun partnering with social media platforms and health care providers to promote evidence-based scientific information, while still protecting individuals' right to free speech. Even with these efforts, however, blatantly false COVID-19 content continues to proliferate.

### **Misinformation hurts some more than others, including retirees and the elderly.**

Retirees and the elderly in America are [more tech-savvy](#) than their predecessors, often having robust social media networks of friends. When the pandemic began, many retirees leveraged social media technology to stay connected to their communities. This connectedness can [help alleviate](#) some of the mental health harms associated with pandemic isolation, but it also [increases their exposure](#) to false claims and misinformation on vaccination.

### **Hospital leaders can help fight misinformation by sharing evidence-based research and leveraging the power of personal stories.**

Despite the many communication initiatives launched last year, roughly 30% of Americans [of all races](#) are still hesitant to be vaccinated against COVID-19. Many communities are deeply concerned with getting accurate information about vaccine safety but are unsure who to trust, falling victim to exploitative misinformation campaigns. Hospitals can step into this gap and become the trusted [source of truth](#) for their communities. Another reason vaccine misinformation is so successful is because it leverages the power of personal connection through shared stories. Along with facts and data, health systems can join storytelling campaigns like the American Hospital Association's [#MyWhy Campaign](#) to highlight the importance of vaccination.



### **Another Round of Gun Safety Laws Talks**

With two more high profile mass shooting [tragedies](#) in Atlanta and Colorado, Congress is once again discussing legislation to promote gun safety. The House [passed](#) two bills to close the loopholes in background checks when purchasing online and to extend the time the federal government has to complete those checks. However, with the Senate holding a slim Democratic majority, the disagreement over how to regulate guns will still make it difficult to pass legislation. While President Biden [called](#) on Congress to pass bans on assault weapons and stronger background checks, he is more likely to use Executive Orders to influence gun control policy. Support from trade associations and the public will be key in determining if the needle will be moved on gun safety in the long run.

### **What kind of gun safety legislation is being pursued?**

While legislation is necessary to make permanent changes to gun-related policy, the White House Press Secretary said the President is considering [executive](#) action due to the complexity of moving gun legislation through Congress. The measures being considered by President Biden are to:

- Classify [“ghost guns”](#), or kits that allow guns to be assembled from pieces, as firearms.
- Fund community violence intervention programs.
- Strengthen the background check system.
- Declare gun violence a public health emergency, freeing the CDC to collect data.

### **How are trade associations responding?**

The National Rifle Association (NRA) has lead the charge to block any type of gun reform; while it has recently [filed](#) for bankruptcy, we anticipate that it will still remain a strong opposition. Meanwhile, many medical trade associations strongly support policies to prevent gun violence. The American Medical Association has [supported](#) creating gun-free school zones, banning assault-type weapons and increasing the age to purchase ammunition and firearms from 18 to 21.

### **Where will gun regulations go next?**

Several polls have found that there is a [growth](#) in the past few years in the number of Americans supportive of stricter gun laws. However, restrictions still face large opposition from conservative supporters. While it is unlikely that legislation will be passed, we anticipate executive action in the near future aimed at promoting gun safety and reducing violence.

## **Updates to COVID-19 Regulations**

AHPA continues to follow new COVID-19 regulations, guidance and other government actions. The updates below are the latest guidance and other developments since March 22<sup>nd</sup> to help mitigate the impacts of COVID-19. For earlier COVID-19 regulations and guidance, visit the previous Policy Brief.

### **Biden Administration Announces Extension of Special Enrollment Period**

- CMS is [extending](#) the special enrollment period on the Health Insurance Exchanges through August 15<sup>th</sup>, in an effort to extend coverage to more individuals.

### **CDC Relaxes Distance Requirements in Schools**

- The CDC has [relaxed](#) the physical distancing requirement for school children from 6 feet to 3 feet. Face masks should still be used; in cases where face masks are not an option, such as lunchtime, 6 feet of distance should still be maintained. Teachers and staff are advised to still observe the 6 feet rule.

## Latest Leadership Nominees for the Biden Administration

Hearings are in progress for many of the Biden Administration's top choices for health-related leadership roles. Below is the status of the most high-profile selections:

Leadership Position	Nominee	Status
<i>Director</i> <b>Centers for Disease Control and Prevention</b>	<b>Dr. Rochelle Walensky</b>	<i>Confirmed</i>
<i>Surgeon General</i>	<b>Dr. Vivek Murthy</b>	<i>Confirmed</i>
<i>Secretary</i> <b>Health and Human Services</b>	<b>Mr. Xavier Becerra</b>	<i>Confirmed</i>
<i>Assistant Secretary</i> <b>Health and Human Services</b>	<b>Dr. Rachel Leland Levine</b>	<i>Confirmed</i>
<i>Administrator</i> <b>Centers for Medicare and Medicaid Services</b>	<b>Ms. Chiquita Brooks-LaSure</b>	<i>Confirmation Still Needed</i>
<i>Director</i> <b>Center for Medicare and Medicaid Innovation</b>	<b>Dr. Liz Fowler</b>	<i>No Confirmation Needed</i>

## A Look at the Federal Register

### **CMS Accepting Proposals for New Measures for the Promoting Interoperability Program**

The Centers for Medicare & Medicaid Services (CMS) [Annual Call for Measures](#) for eligible hospitals and critical access hospitals participating in the Medicare Promoting Interoperability Program is now open. Submit a measure proposal by **Wednesday, June 30, 2021**.

### **Agency for Healthcare Research and Quality (AHRQ) - Strategies to Improve Patient Safety: Draft Report to Congress for Public Comment and Review**

The Patient Safety Act also requires the draft report to be made available for public comments and submitted for review to the Institute of Medicine, now the National Academy of Medicine.

**The comment period has been extended until April 5, 2021.**



## AHPA Resources

**Need an easy way to keep tabs on President Biden’s Executive Orders?** AHPA is keeping a running list of the latest Executive Orders coming out of the White House. Click [here](#) to download.

## IN OTHER NEWS

[Vaccines and Travel: What You Need to Know](#) – NY Times

[FDA Authorizes First COVID-19 Tests for Repeat, At-Home Screenings](#) – Wall Street Journal

[How a “Radical” Southern Mayor Ran Up Against Reality](#) – Politico Mag.

[Germany Limits Use of Oxford-AstraZeneca Vaccine Because of Fears of Blood Clots](#) – VOA News

[As Nation Speeds to Vaccinate All, Maryland’s Path Shows Challenges Ahead](#) – NY Times