



## CMS Snapshot

### July 28-August 4, 2022

Delivered to you by the Partner Relations Group in the Office of Communications

All releases below are from 2pm Thursday, July 28 through 2pm Thursday, August 4, 2022

#### News Releases

\*July 28- [CMS Seeks Public Feedback to Improve Medicare Advantage](#). Today, the Centers for Medicare & Medicaid Services (CMS) released a Request for Information seeking public comment on the Medicare Advantage program. CMS is asking for input on ways to achieve the agency's vision so that all parts of Medicare are working towards a future where people with Medicare receive more equitable, high quality, and person-centered care that is affordable and sustainable.

\*July 28- [HHS, DOL, and Treasury Issue Guidance Regarding Birth Control Coverage](#). Today, following [President Biden's Executive Order](#) on ensuring access to reproductive health care, the U.S. Department of Health and Human Services (HHS), alongside the Departments of Labor and of the Treasury (Departments), took action to clarify protections for birth control coverage under the Affordable Care Act (ACA). Under the ACA, most private health plans are required to provide birth control and family planning counseling at no additional cost.

\*July 28- [HHS Expands Availability of Monkeypox Vaccine to More Than 1.1 Million Doses](#). The U.S. Department of Health and Human Services (HHS) today announced plans to [allocate](#) an additional 786,000 doses of JYNNEOS vaccine, dramatically increasing the supply of monkeypox vaccine doses to states and jurisdictions. The additional vaccine allocation adds to the more than 340,000 doses of JYNNEOS vaccine that have already been delivered to jurisdictions. JYNNEOS vaccine is manufactured by Bavarian Nordic and approved by the Food and Drug Administration to prevent smallpox and monkeypox.

\*July 29- [CMS Releases 2023 Projected Medicare Basic Part D Average Premium](#). The Centers for Medicare & Medicaid Services (CMS) today announced that the average basic monthly premium for standard Medicare Part D coverage is projected to be approximately \$31.50 in 2023. This expected amount is a decrease of 1.8% from \$32.08 in 2022.

\*July 29- [Biden-Harris Administration Secures 66 Million Doses of Moderna's Variant-Specific COVID-19 Vaccine Booster for Potential Use in Fall and Winter 2022](#). The U.S. Department of

Health and Human Services (HHS), in collaboration with the U.S. Department of Defense (DOD), today announced an agreement to purchase 66 million doses of Moderna's bivalent COVID-19 vaccine booster candidate for potential use in the fall and winter. This contract announcement follows a recommendation by the FDA last month that vaccine manufacturers update their existing COVID-19 vaccines to create a bivalent booster that can target BA.4 and BA.5 Omicron subvariants.

\*July 29- [HHS and DOJ Issue Guidance on Nondiscrimination in Telehealth the week of the 32nd anniversary of the Americans with Disabilities Act \(ADA\)](#). *The guidance provides clarity on how federal nondiscrimination laws require accessibility for people with disabilities and limited English proficient persons in health care provided via telehealth.* As we commemorate the 32nd anniversary of the Americans with Disabilities Act (ADA), the U.S. Department of Health and Human Services (HHS) and the U.S. Department of Justice are partnering together to publish guidance on the protections in federal nondiscrimination laws, including the ADA, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and Section 1557 of the Patient Protection and Affordable Care Act, requiring that telehealth be accessible to people with disabilities and limited English proficient persons. These laws work in tandem to prohibit discrimination and protect access to health care. The guidance may be found at: [https://www.hhs.gov/sites/default/files/guidance-on-nondiscrimination-in-telehealth.pdf - PDF](https://www.hhs.gov/sites/default/files/guidance-on-nondiscrimination-in-telehealth.pdf).

\*July 30- [Statement by HHS Secretary Xavier Becerra, CMS Administrator Chiquita Brooks-LaSure on the 57th Anniversary of Medicare and Medicaid](#). Today, U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra and Centers for Medicare & Medicaid Services (CMS) Administrator Chiquita Brooks-LaSure released the following statements to mark the 57th anniversary of Medicare and Medicaid on July 30, 2022.

\*August 1- [CMS Offers Roadmap for States to Help Connect Children with Complex Medical Conditions to Critical Medicaid Services](#). *Agency issues guidance on a new optional Medicaid "health home" benefit that can help connect children with cerebral palsy and other complex medical conditions to care.* The U.S. Department of Health and Human Services, through the Centers for Medicare & Medicaid Services (CMS), today unveiled guidance on a new Medicaid health home benefit for children with medically complex conditions. This new optional benefit helps state Medicaid programs provide Medicaid-eligible children who have medically complex conditions with person-centered care management, care coordination, and patient and family support. CMS anticipates that the new benefit will help these children receive the care they need, including across state lines.

\*August 1- [New CMS Rule Increases Payments for Acute Care Hospitals and Advances Health Equity, Maternal Health](#). Today, the Centers for Medicare & Medicaid Services (CMS) issued a final rule for inpatient and long-term care hospitals that builds on the Biden-Harris Administration's key priorities to advance health equity and improve maternal health outcomes. As required by statute, the fiscal year (FY) 2023 Inpatient Prospective Payment

System (IPPS) and Long-Term Care Hospital (LTCH) Prospective Payment System (PPS) rule updates Medicare payments and policies for hospitals, drives high-quality, person-centered care, and promotes fiscal stewardship of the Medicare program. In addition, the rule finalizes new measures to encourage hospitals to build health equity into their core functions. These actions will improve care for people and communities who are disadvantaged or underserved by the health care system.

\*August 2- [New HHS Report Shows National Uninsured Rate Reached All-Time Low in 2022](#). Secretary Becerra Says Biden-Harris Administration Efforts to Expand Coverage, Lower Costs through American Rescue Plan and Other Actions Are Working. Today, the U.S. Department of Health and Human Services (HHS) released a [new report](#) showing that the national uninsured rate reached an all-time low of 8 percent in early 2022, with 5.2 million people having gained coverage since 2020, coinciding with the beginning of the Biden-Harris Administration in January 2021. The report, which analyzes data from the National Health Interview Survey and American Community Survey, shows the dramatic impact of Biden-Harris Administration's efforts to increase health care access and lower costs for America's families through the American Rescue Plan's enhanced Marketplace subsidies, the continuous enrollment provision in Medicaid, several recent state Medicaid expansions, and substantial enrollment outreach by the Administration in 2021 and 2022.

\*August 2- [Statement by HHS Secretary Xavier Becerra on President Biden's Appointment of a National Monkeypox Response Team](#). Today, President Biden named FEMA's Robert Fenton as the White House National Monkeypox Response Coordinator and Dr. Demetre Daskalakis as the White House National Monkeypox Response Deputy Coordinator. Fenton and Daskalakis will lead the Administration's strategy and operations to combat the current monkeypox outbreak, including equitably increasing the availability of tests, vaccinations and treatments.

\*August 2- [Statement on the Swearing-In of Samuel Bagenstos as General Counsel at the U.S. Department of Health and Human Services](#). Today, following confirmation by the U.S. Senate, U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra formally swore in Samuel Bagenstos as General Counsel of HHS. "As Samuel Bagenstos takes the helm as General Counsel, he brings years of distinguished public service and a strong track record of upholding the rule of law – at the state and federal level." said HHS Secretary Becerra. "A champion of labor rights, affordable health care and civil rights, General Counsel Bagenstos will be instrumental in our Department's work to protect public health, safeguard civil rights and expand access to health care. Additionally, Sam has led negotiations tied to significant settlements, he has promulgated critical rules and overseen the enforcement of civil rights law. His legal acumen and expertise will help us advance HHS's mission to build a safe and healthier America." [Read the biography for General Counsel Bagenstos](#).

\*August 2- [Statement by HHS Secretary Xavier Becerra, CMS Administrator Chiquita Brooks-LaSure on United States Suit Against State of Idaho Over Emergency Abortion Care Services](#). *Without Injunctive Relief, Idaho Law Will Violate the Emergency Medical Treatment and Labor*

*Act, Which Protects Pregnant Women’s Right to Emergency Medical Care.* Today, U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra and Centers for Medicare & Medicaid Services (CMS) Administrator Chiquita Brooks-LaSure issued the following statements on the United States’ lawsuit against the state of Idaho. The suit alleges that Idaho’s anti-abortion law, which will go into effect at the end of August, directly conflicts with the federal Emergency Medical Treatment and Labor Act (EMTALA). The lawsuit seeks an injunction to prevent enforcement of the law in situations where an abortion is necessary stabilizing treatment for an emergency medical condition.

\*August 3- [Biden–Harris Administration Releases Two New Reports on Long COVID to Support Patients and Further Research](#). The Biden–Harris Administration is committed to helping people across America affected by Long COVID. In April, President Joe Biden issued a [Memorandum on Addressing the Long-Term Effects of COVID-19](#), which called for the creation of two reports. Within 120 days, the U.S. Department of Health and Human Services (HHS), leading a whole-of-government response, developed two reports that together, pave an actionable path forward to address Long COVID and associated conditions.

\*August 4- [HHS Announces New Campaign to Increase U.S. Blood and Plasma Donations](#). *Giving = Living was created to save lives following the impact of the COVID-19 pandemic.* Our nation’s blood and plasma supply dropped to historic lows during the COVID-19 pandemic. While some areas of the country have seen improvement, other areas are still struggling to meet the demand. Blood and plasma are needed on an ongoing basis to treat a variety of life-threatening conditions, which is why the U.S. Department of Health and Human Services (HHS), is launching a new campaign, *Giving = Living*.

## Fact Sheets

\*July 29- [Fiscal Year \(FY\) 2023 Skilled Nursing Facility Prospective Payment System Final Rule \(CMS 1765-F\)](#). On July 29, 2022, the Centers for Medicare & Medicaid Services (CMS) issued a final rule that updates Medicare payment policies and rates for skilled nursing facilities under the Skilled Nursing Facility Prospective Payment System (SNF PPS) for fiscal year (FY) 2023. In addition, the final rule includes updates for the SNF Quality Reporting Program (QRP) and the SNF Value-Based Purchasing (VBP) Program for FY 2023 and future years. CMS is publishing this final rule consistent with the legal requirements to update Medicare payment policies for nursing homes on an annual basis. This fact sheet discusses the major provisions of the final rule.

\*August 1- [FY 2023 Hospital Inpatient Prospective Payment System \(IPPS\) and Long Term Care Hospitals \(LTCH PPS\) Final Rule — CMS-1771-F Maternal Health](#). A Commitment to Improving Maternal Health in the U.S. The Biden-Harris Administration is committed to achieving a government-wide vision that addresses the maternal health crisis in the U.S., including by

reducing maternal mortality and morbidity and advancing maternity care quality, safety, and equity. As a part of this commitment, the White House held the first-ever federal “Maternal Health Day of Action” on December 7, 2021, at which time Vice President Kamala Harris issued a national call to action to Reduce Maternal Mortality and Morbidity. In addition, the U.S. Department of Health and Human Services (HHS) — through the Centers for Medicare & Medicaid Services (CMS) — announced critical steps to improve maternal health by supporting the delivery of equitable, high-quality care for all pregnant and postpartum patients. The White House also issued presidential proclamations on [April 8](#) and [April 13](#) in recognition of Black Maternal Health Week, which occurred the week of April 11 in 2022.

\*August 1- [FY 2023 Hospital Inpatient Prospective Payment System \(IPPS\) and Long-Term Care Hospital Prospective Payment System \(LTCH PPS\) Final Rule — CMS-1771-F](#). On August 1, 2022, the Centers for Medicare & Medicaid Services (CMS) issued the fiscal year (FY) 2023 Medicare Hospital Inpatient Prospective Payment System (IPPS) and Long-Term Care Hospital Prospective Payment System (LTCH PPS) final rule.

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