



## Around the world of U.S. healthcare in 360 words or less

Center for Healthcare Regulatory Insight



June 24, 2022 | Issue 227

Editor's note

*This note is produced every Friday by the [KPMG Center for Healthcare Regulatory Insight](#) and is intended to be short and succinct, no more than 360 words, to provide a digestible bite of healthcare and life sciences news from the past week. Please share this email with colleagues and other interested individuals, and encourage them to [subscribe to our mailing list here](#).*

We welcome your feedback. Let us know if KPMG can help. Please [reply here to me](#), **Larry Kocot**, principal and national leader, KPMG Center for Healthcare Regulatory Insight or simply reply to this email with any comments or requests.

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### **Special Supplement: COVID-19 News**

In light of the continuing daily volume of COVID-19 activity and news, we have summarized [COVID-19 news for the week in this special supplement](#).

### **Breaking News: Supreme Court Decisions**

The Supreme Court released decisions in a number of important cases this morning, including: 1) *Dobbs v. Jackson Women's Health Organization, et al.*, in which the Court overturned *Roe v. Wade* and *Planned Parenthood of Southeastern Pa. v. Casey*, ruling "the [Constitution does not confer a right to abortion](#)...and the authority to regulate abortion is returned to the [states];" and, 2) *Becerra v. Empire Health Foundation*, in which the [Court upheld](#) HHS' hospital DSH payment methodology.



**Healthcare regulatory news**

HHS' [Spring Regulatory Agenda](#), includes, among others, planned rules on [nicotine limits in cigarettes](#), [over-the-counter hearing aid](#) regulations, [direct-to-consumer drug advertising](#)

restrictions, [Medicaid/CHIP eligibility/enrollment](#) streamlining, and [340B administrative dispute](#) resolution improvement.

CMS [proposed cutting](#) FY2023 home health payments [4.2% \(or \\$810M\)](#) and [increasing](#) FY2023 [ESRD facility payments 3.1%](#) to \$8.2B... CMS [approved a Colorado 1332 waiver](#) amendment to [create a public insurance option](#).

FDA [ordered Juul e-cigarettes be removed](#) from the market... FDA [draft guidance details](#) considerations for rescinding breakthrough therapy designation.

IRS is [seeking comment on medical necessity criteria](#) for mental health parity requirements.



## Healthcare law and policy news

The Supreme Court (SCOTUS) ruled an [employer health plan did not violate federal](#) law or discriminate against ESRD patients by offering out-of-network provider reimbursement for outpatient dialysis... SCOTUS [declined to hear UnitedHealth Group's challenge](#) of a CMS rule allowing recoupment of Medicare Advantage overpayments.

HCA [abandoned plans to acquire five Steward hospitals](#) in Utah ([applauded by FTC](#))... A UnitedHealth Group unit [will acquire EMIS Group \(\\$1.5B\)](#)... Pfizer [will buy 8.1% stake \(\\$95M\) in Valneva](#) to pursue a Lyme disease vaccine... Merck is [considering purchasing Seagen](#) to enhance its cancer drug portfolio.

Three House Republicans [asked GAO to study PBMs' role](#) in drug pricing... Senate Commerce Committee [advanced legislation](#) to increase [FTC enforcement authority against](#) unfair/deceptive PBM practices... Senators Shaheen (D-NH) and Collins (R-ME) [introduced legislation](#) to [reduce insulin prices and cap monthly copays](#) for commercial/Medicare plans; Senate Majority Leader Schumer [pledged a floor vote "very soon."](#)

The House passed (1) [legislation authorizing](#) ARPA-H [outside of NIH](#) and (2) broad [mental health legislation](#), including to authorize/increase associated [program/grant funding and expand access](#) to care... [Gun safety](#) legislation [passed by the Senate](#) would [expand access to community behavioral health services](#) and require CMS [guidance to states](#) on expanding telehealth behavioral health access under Medicaid/CHIP.

An [Annals of Internal Medicine study](#) concluded Medicare could have saved up to \$3.6B in 2020 [by paying Mark Cuban Cost Plus Drugs Company prices](#) on 77 prescription drugs... Altarum reported national health spending [grew 6.5% year-over-year in April but accounted for 18.1% of GDP](#), down 0.06% from December... A Commonwealth Fund commission [issued recommendations to improve](#) the country's public health system.



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# COVID-19 News Supplement

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## COVID-19 by the Numbers

Over [86.6 million COVID-19 cases](#) have been documented in the US, with the death toll exceeding 1.01 million... As of June 22, 2022, the current 7-day moving average of [daily new cases](#) (97,430) decreased 5.6% compared with the previous week's 7-day moving average (103,175); the current 7-day moving average of [new deaths](#) (255) has decreased 10.5% compared with the previous week's 7-day moving average (285)... World Health Organization [reported global cases decreased 4% last week](#).

As of June 18, the BA.2.12.1 variant [accounted for 56% of COVID-19 cases](#), down from 63% the previous week, while BA.5 and BA.4 accounted for 24% and 11%, respectively, both up from the previous week (13% and 8%).

More than [12 billion COVID-19 vaccine doses have been administered across 184 countries](#)... Over 592 million COVID-19 [vaccine doses have been administered](#) in the US... Over 259 million Americans ([approximately 83% of Americans 5 and older](#)) have received at least one COVID-19 vaccine dose; over 221.9 million Americans are fully vaccinated (71% of Americans 5 and older); over 104.7 million Americans have received a booster or additional dose (just 47.2% of those fully vaccinated).

## Executive and Administrative Action

NIH's real-world data program, All of Us, announced that [health data from nearly 20,000 individuals who have had COVID-19 are now available to researchers](#), including nearly 6,000 whole genome sequences and 600 Fitbit records.

## Healthcare Law, Business, and Policy News

A [Lancet study concluded](#) that COVID-19 vaccinations prevented 14.4 million deaths in the first year of the pandemic; accounting for all excess deaths potentially attributable to COVID-19, the estimate increased to 19.8 million.

A CDC survey found [18.9% of adults who've ever had COVID-19 are currently experiencing long COVID symptoms](#) and 35.1% of those who've had COVID-19 experienced long COVID symptoms at some point.

## Surveillance, Testing, and Treatment

Following [a final CDC recommendation](#), children as young as 6 months began receiving COVID-19 vaccines this week from Pfizer-BioNTech and Moderna... CDC's ACIP [unanimously recommended](#) Moderna's COVID-19 vaccine for children ages 6 to 17.

World Health Organization [supports study of updated COVID-19 vaccines](#) to better address the Omicron variant.

Moderna's CEO said the company's COVID-19 [vaccine targeting new variants should be ready to ship](#) in August.

CDC [reported dispensing rates of COVID-19 antiviral pills in high vulnerability zip codes](#) (35.7 per 100,000) are roughly half those in low (77.4 per 100,000) and medium vulnerability (70 per 100,000) zip codes.... Another [CDC study found emergency room visits or hospitalizations](#) for COVID-19 occurred in less than 1% of patients previously treated with Pfizer's Paxlovid.

Enanta Pharmaceuticals [alleged in a lawsuit](#) that Pfizer's Paxlovid [violates a patent](#) of its own COVID-19 drug still in development.