



## **NHMA Legislative Update – March 2023**

The national office continues to work diligently to monitor local, state, and federal level policy developments, including legislative and regulatory changes, to advocate initiatives representing the interests of our 50,000 licensed Hispanic physicians in the United States. We maintain weekly communication with strategic national partners to empower Hispanic physicians to be leaders who will help eliminate health disparities and improve the health of Hispanics in the United States, including Washington DC and Puerto Rico.

### **Maternal Health Leadership Celebration (February 28, 2023)**

Dr. Rios, NHMA President & CEO joined partners – Dr. Garfield Clunie, MD, President, National Medical Association, Dr. Dan Bruzzini, MD, MBA, CPE, Medical Director, Centene's National Neonatal Center of Excellence, and Congresswoman Robin Kelly (D-IL-02), Chair for Congressional Black Caucus Health Braintrust, to discuss policies to advance maternal health legislation that she and other lawmakers have introduced. She noted that key successes were the current enacted state option to extend Medicaid postpartum coverage from sixty days to one year, and the increased funding to the Health Resources & Services Administration (HRSA) Maternal and Child Health Bureau (MCHB) for training of maternal health physicians about maternal health, quality care, cultural competency and language services. The Biden Administration announced its Maternal Mental Health Hotline and maternal health new grants across the agencies – including research awareness, home visiting.

There was a frank discussion about the current state of maternal health, identify challenges and opportunity areas, and discuss potential areas of policy collaboration that could result in better outcomes for mothers in the United States. Given the gaps faced by uninsured and under-insured women, and particularly Black and Latina women, this discussion had significant focus on health equity and social determinants of health. We have a responsibility to increase access to maternal mental health, prenatal services, transportation, address service gaps in rural areas, and address the need for a diverse health workforce cognizant in cultural humility.

Recommendations from the Roundtable included increased access to maternal health especially in rural areas – with loan repayments and incentives for OB and Family Medicine physicians, nurses, and community workers, midwives, doulas; increased GME slots for OB and FM; as well as increased pathways to increase diversity in the health workforce. In terms of maternal care needed it was agreed how much support is needed for policies to address social determinants of health in our poor communities to have young generation to be more healthy prior to pregnancy. Finally, there was a recommendation that like the HBCU model with a focused effort from government to support community based training we need a Hispanic Academic Health Center on the mainland that can become a center of excellence that is sustained -in addition to the multiple year grants to academic institutions that change every

few years. Thank you to the key staff in Congresswoman Robin Kelly's office for supporting the effort with more ideas. Following the meeting, we welcomed 80 maternal health leaders to celebrate the wins for our communities at a Reception.

#### **New York State Advocacy Meetings re Cardiovascular Disease** (February 8, 2023)

As part of our ongoing efforts for the Cardiovascular Disease & Hispanics Education Initiative, NHMA has partnered with Amgen to increase awareness among key policymakers on the prevalence of cardiovascular disease in the Hispanic community. NHMA met with New York State Legislators from the Health Committees, Education Committee, and Puerto Rican/Hispanic Task Force to discuss key prevention strategies and educational priorities on Cardiovascular Disease for Hispanic communities, given the high risk of Hispanic patients in the state of New York. We also discussed the importance of supporting diversity in medical education and was asked to provide information on the NHMA College Health Scholars Program for New York for potential collaboration with the Puerto Rican/Hispanic Task Force.

#### **"Love our Lungs" Press Conference** (February 13, 2023)

Climate Action Campaign convened NHMA, Congressman Don Beyer (D-VA-08) and the Union of Concerned Scientists to discuss the importance of having strong soot pollution standards by the U.S. Environmental Protection Agency (EPA). The EPA scientific advisors and advocates are calling for a stronger standard to decrease soot/particulate matter entering the lungs and blood stream which could decrease asthma, CNS, Cardiovascular disease in our vulnerable communities. Public health and environmental justice advocates called on President Biden and his administration to "Love Our Lungs," in honor of Valentine's Day, and use every tool at their disposal to cut pollution and protect public health. We urge the Biden administration to finalize the strongest standards possible on soot pollution (also known as "particulate matter" or PM2.5), which poses a grave danger to public health, especially in communities overburdened by pollution. You can watch a recorded video of the press conference [here](#).

#### **New York State and Texas State Advocacy Meetings on Asthma** (February 16 & 17, 2023)

As part of our ongoing efforts for Asthma and Hispanics Education campaign, NHMA has partnered with Amgen to increase awareness among key policymakers on addressing structural and social determinants of health in severe asthma. Dr. Rios and NHMA members held virtual policy discussions with New York State Legislators and Texas State Legislators on the importance of Asthma legislation which has focused on school clinics, the need for a diverse public health workforce in healthcare, as well as increasing Hispanic physicians – with pathways and mentoring as well as by increasing graduate medical education support. You can view recordings of these sessions [here](#).

#### **Advocacy/Policy Letters:**

##### **Letter to Maintain investments in Farm Bill Conservation Programs** (February 27, 2023)

NHMA joined over 600 other organizations in sending a letter to Senate and House Agriculture Committee leadership urging them to protect the historic \$20 billion investment in the *Inflation*

*Reduction Act* in climate-smart agriculture and conservation technical assistance and to ensure that this funding stays in climate-smart agriculture and Farm Bill conservation programs.

### **Letters Advocating for Medicare Advantage (March 6, 2023)**

In February, the Centers for Medicare & Medicaid Services (CMS) released the Calendar Year (CY) [2024 Advance Notice](#) for the Medicare Advantage (MA) and Part D Prescription Drug Programs that would update payment policies for these programs. The Advance Notice builds on a [proposed rule](#) released in December 2022 that CMS claims would, if finalized, aim to strengthen beneficiary protections for the millions of people who rely on Medicare Advantage and Medicare Part D prescription drug coverage.

Medicare Advantage plays a crucial role in expanding access to affordable, quality care among Hispanic seniors across the country. If enacted, these policy changes to Medicare Advantage may lead to higher costs or reduced access to the vital health services that are relied upon by millions of senior beneficiaries. We [urge](#) the administration to preserve access to holistic, affordable and equitable care.

NHMA sent a joint letter to Centers for Medicare & Medicaid Services (CMS) urging it reconsider implementation of the risk adjustment changes for the 2024 plan year so stakeholders can fully understand the impact these changes will have on beneficiaries with multiple chronic conditions and social risk factors, especially vulnerable populations whose needs are best served by the coordinated care models under Medicare Advantage.

NHMA submitted a comment letter to the Centers for Medicare & Medicaid Services highlighting its focus on advancing health equity and addressing social determinants of health and urging CMS to strengthen programs like Medicare Advantage that help improve outcomes and advance health equity.

### **Letter Advocating Funding for the Agency for Healthcare Research and Quality (AHRQ)**

NHMA joined national partners in sending a letter to Senate and House Appropriations Subcommittees on Labor, Health and Human Services, Education, and Related Agencies requesting no less than \$500 million in funding for the Agency for Healthcare and Research and Quality (AHRQ) in fiscal year 2024.

### **Letter on Health Equity Guidelines for President Biden and the 118th Congress**

NHMA joined the Health Equity Collaborative in sending a letter to President Biden and Members of the 118th Congress urging they prioritize developing solutions to measurably improve health equity and address social determinants of health. The priorities outline the issues that affect diverse communities in America today, such as, confronting the rising cost of healthcare, improving access to quality healthcare among vulnerable populations, addressing the underrepresentation of diverse communities in clinical trials and data collection, and promoting a diverse healthcare workforce.

### **White House/Administration**

## **Executive Order on Further Advancing Racial Equity and Support for Underserved Communities Through The Federal Government** (February 16, 2023)

President Joe Biden signed a new Executive Order, [Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#), reaffirming the Administration's commitment to advance equity and build an America in which everybody can participate, prosper, and reach their full potential.

- Read the [Executive Order](#) and [Fact Sheet](#).
- Watch the [Virtual National Briefing on Equity](#) featuring Director of the White House Domestic Policy Council Ambassador Susan Rice, Director the White House Office of Management and Budget Shalanda Young and national leaders.
- Read the White House Domestic Policy Council's [report](#) highlighting federal agency's actions delivering on equity, access and opportunity for the American people.
- Read the [2022 Agency Equity Action Plans](#).
- Explore [whitehouse.gov/equity](https://whitehouse.gov/equity).

## **Meeting with White House Office of Public Engagement** (March 3, 2023)

Dr. Rios and NHMA met with the office of public engagement at the White House to share updates on NHMA programmatic projects, advocacy efforts, and upcoming conference. There is an opportunity to collaborate on future events, including a Health Equity Roundtable of Latinas in Health Care in honor of March as Women's History Month and laying groundwork for a Latino Health Care Convening later this Spring.

## **Meeting with Department of Health and Human Services (HHS)** (March 7, 2023)

Dr. Elena Rios and NHMA met with staff in the Office of the Secretary Xavier Becerra to share latest NHMA happenings, our upcoming NHMA 26th Annual Conference. We discussed certain pressing health-equity concern surrounding end-stage renal disease (ESRD) implicated by HHS's pending rulemaking under Section 1557 of the Affordable Care Act, which prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs and activities. ESRD meets the definition of "disability" under Section 504 of the Rehabilitation Act of 1973.

## **Meeting with USDA Food and Nutrition Service** (March 8, 2023)

Dr. Elena Rios and NHMA met with staff in the U.S. Department of Agriculture's Food and Nutrition Service (FNS) to share latest NHMA happenings and our upcoming NHMA 26th Annual Conference. We discussed USDA efforts to tackle both food and nutrition insecurity, including through pending rulemaking titled "Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions in the WIC Food Packages", and proposed rule "Child Nutrition Programs: Revisions to Meal Patterns Consistent with the 2020 Dietary Guidelines for Americans"

## **Congressional Activity**

### **Senate Hearing Examining Health Care Workforce Shortages** (February 16, 2023)

The U.S. Senate Committee on Health, Education, Labor and Pensions held a full committee hearing titled, “Examining Health Care Workforce Shortages: Where Do We Go From Here?” Testifying at the hearing was NHMA Board Member, Leonardo Seoane M.D., F.A.C.P., Chief Academic Officer, Ochsner Health, from New Orleans, LA

According to some reports, the U.S. will face a shortage of up to 124,000 physicians by 2034, including 48,000 primary care physicians. According to the Health Resources and Services Administration, nearly 100 million Americans live in areas without enough primary medical health care providers and about 70 million Americans live in areas without enough dental providers. This means that a significant percentage of our population live in places where they cannot access the healthcare they desperately need.

Senators identified pressing issues including the need for more African American, Latino, and Native American healthcare personnel who are way under-represented in the healthcare profession, efforts to expand and improve the Graduate Medical Education program, expand workforce diversity programs and Teaching Health Center programs.

### **Meeting with Office of Rep. Jim Costa** (March 3, 2023)

NHMA met with the office of Congressman Jim Costa (D-CA-21) to discuss legislative efforts to strengthen the health care workforce. NHMA once again supports the *Expanding Medical Education Act*, which would authorize grants to institutions of higher education for the establishment of schools of medicine (or branch campuses) in medically underserved areas and at minority-serving institutions to ensure we have a diverse and expansive workforce for the future. Specifically, this legislation directs the Health and Human Services Secretary to award grants for the development, improvement, or expansion of Medical School Programs at Minority Serving Institutions or in Medically Underserved Areas. Prior legislation in the 117th Congress would authorize \$1 billion in grants until expended.

### **NHMA Joins New Coalition, the Coalition for Trust in Health & Science** (March 2, 2023)

The National Hispanic Medical Association and 50 other national organizations [announced](#) the start of a coalition, the Coalition for Trust in Health & Science, to advance trust and factual science-based decision-making and to curb infodemic of health and science misinformation and disinformation. The Coalition for Trust in Health & Science aims to help Americans “navigate the increasing amount of information available from an increasing number of sources.”

In order to “facilitate rapid-cycle debunking of particularly egregious disinformation and misinformation incidents” that has the potential of negatively affecting the public, a key component of the Coalition’s plan is to mobilize the broad scope of its network of national organizations representing basic and applied science organizations; health academicians; health services researchers; pharmaceutical manufacturers; physicians, nurses, pharmacists and other professional disciplines; public health professionals; health insurers; health regulators; ethicists; health humanists; foundations; health consumer organizations; and health consulting, policy and communications organizations..

## **Medicaid Unwinding, CMS Waivers, Flexibilities, and Transition Forward**

During the COVID-19 pandemic, millions of people have been continuously insured by Medicaid as a result of public health emergency rules (PHE) in effect since early 2020. However, this policy will expire soon, and Medicaid will be allowed to terminate people's coverage. NHMA is working national partners on community education efforts to protect Latino families' health care.

The Centers for Medicare & Medicaid Services released a [fact sheet](#) on what to expect at the end of the COVID-19 public health emergency (PHE), including for telehealth services in Medicare, Medicaid and CHIP, and private health insurance. Find out more about the latest telehealth policy extensions.

The Centers for Medicare & Medicaid Services [released anticipated state timelines](#) to begin renewing eligible Medicaid enrollments and terminating others as the federal Public Health Emergency (PHE) for COVID-19, declared under Section 319 of the Public Health Service (PHS) Act, is set to expire at the end of the day on May 11, 2023.

Under the Families First Coronavirus Response Act, states must maintain nearly all their Medicaid enrollees during the PHE to receive a temporary 6.2 percentage point increase in their Federal Medical Assistance Percentage (FMAP) and will have up to 12 months to return to normal eligibility and enrollment operations after the emergency. Under the Consolidated Appropriations Act of 2023, the continuous enrollment requirement was delinked from the PHE and will end on March 31, and the FMAP increase will phase out beginning April 1 and end on December 31, 2023.

This chart details the expected first month for each state/territory's unwinding-related renewals, as well as the anticipated effective date for the first procedural terminations. You can find this chart along with other Medicaid unwinding resources on [Medicaid.gov/unwinding](#).

- [Anticipated 2023 State Timelines for Initiating Unwinding-Related Renewals](#)
- [What Do I Need to Know? CMS Waivers, Flexibilities, and the Transition Forward from the COVID-19 Public Health Emergency](#)
- [Telehealth policy changes after the COVID-19 public health emergency](#)