Congress returned in January for the second session of the 117th Congress with a full plate. In addition to finishing the FY2022 budget, which Congress previously funded through February 18th with a Continuing Resolution, the Senate also attempted, but failed, to pass a massive social spending bill - the Build Back Better (BBB) Act, voting rights legislation, and filibuster reform.

With the Senate evenly split 50/50, it is imperative that Democrats receive the support of each Senate Democrat in order to get legislation over the finish line. In the case of the Build Back Better Act, Sen. Joe Manchin would not commit to supporting the legislation so it would not have been able to pass the Senate as it is currently written. Manchin has said he would be willing to support parts of BBB, and Senate Dem leaders are working with Manchin on language and top-line budget numbers to attempt to get parts of the bill passed.

Additionally, a bipartisan Senate group is reportedly drafting another round of federal pandemic aid to help struggling businesses. About $40 billion would go to restaurants and bars, with more earmarked for other industries seeking relief. The package could also potentially address hotels, fitness clubs, tour bus companies, minor league ball teams, theaters, and other live venue events.

Similarly, according to House Majority Leader Steny Hoyer (D-MD), the Biden administration is preparing to ask Congress for a new round of "substantial" funding to combat the COVID-19 pandemic domestically and abroad. Hoyer said he expects the White House will ask lawmakers to appropriate funding for testing, vaccines, and school safety measures. Speaker Pelosi said more pandemic aid could also potentially become part of the omnibus appropriations package.

**PCHETA**

As previously reported, portions of the Palliative Care and Hospice Education and Training Act (PCHETA) were included in the House-passed Build Back Better (BBB) Act, that was not able to pass the Senate. It is currently unknown if that PCHETA language will remain in any smaller versions of BBB that are taken up by the Senate.

Senate and House PCHETA champions have promised the hospice and palliative community that PCHETA is still very much a priority for them to pass this Congress. If PCHETA language is not included in a future BBB bill, it could be introduced again in standalone legislation, or as part of a larger workforce funding package.

HPNA signed on to a letter with the Patient Quality of Life Coalition’s (PQLC) in response to Senate HELP Committee leaders’ request for feedback their discussion draft of pandemic preparedness legislation. Specifically, PQLC urged the lawmakers to include PCHETA in their pandemic preparedness legislation.
**HPNA CDC Letter re: New COVID Guidelines**
HPNA submitted a letter to CDC Director Rochelle Walensky requesting the CDC reevaluate their latest guidance for healthcare settings regarding COVID-19. Specifically, the letter states that HPNA strongly believes that the new guidance reducing the quarantine and isolation time for healthcare workers who have been exposed to or infected with COVID-19 offers insufficient protection for both providers and patients and will lead to an increase in COVID-19 exposures and infections.

**Dr. Lorna Breen Health Provider Protection Act**
The “Dr. Lorna Breen Health Provider Protection Act,” S. 610/H.R. 1667, has officially passed both the House and Senate! The bill aims to reduce and prevent suicide, burnout, and mental and behavioral health conditions among health care professionals and passed both chambers of Congress with bipartisan support. The bill was fully endorsed and supported by HPNA.

The bill is now waiting to be signed into law by President Joe Biden.

**HHS Telehealth Disparities Report**
The Office of the Assistant Secretary for Planning and Evaluation (ASPE) at HHS released a report entitled “National Survey Trends in Telehealth Use in 2021: Disparities in Utilization and Audio vs. Video Services”

The report concluded that telehealth policy going forward will need to account for “significant disparities” in usage of audio versus video telehealth among groups. Among other things, the report showed that overall reported telehealth usage (both audio and video) among nearly 675,000 adults surveyed between April and October 2021 was similar among education levels. Additionally, Black respondents used telehealth more than any other racial group on a percentage basis. Nearly 27 percent of Black respondents reported using telehealth in the previous four weeks compared with 21 percent of white respondents, 24 percent of Latino respondents, and 22 percent of Asian respondents. And lower-income respondents were more likely to use telehealth.

But differences emerged between groups in video telehealth usage by age, education, income, and race in the study's second half. People earning less than $25,000 used video for less than half of virtual visits, a figure that steadily rose among income brackets, with nearly 69 percent of visits by people earning at least $100,000. And white respondents had the highest rate of video telehealth visits at 61.9 percent, followed by multiracial or other respondents at 58.9 percent, Black respondents at 53.6 percent, Asian respondents at 51.3 percent and Latino respondents at 50.7 percent.

**NIH Acting Director**
The National Institutes of Health announced that Principal Deputy Director Lawrence Tabak would take over as acting director of the NIH on December 20th of last year, when longtime Director Francis Collins retired.

Collins, who served in that role under three presidents, announced in October that he would step down as director but continue conducting research at NIH.

"I fundamentally believe ... that no single person should serve in the position too long, and that it’s time to bring in a new scientist to lead the NIH into the future," Collins said.
Tabak has served as Collins’ deputy for more than a decade and prior to that spent 10 years as the director of the National Institute of Dental and Craniofacial Research.

Tabak can serve as acting director for 210 days while a search for a permanent director is conducted. Collins has expressed hope that his successor would be a woman. Just one woman, Bernadine Healy, has served in the role.