

Talks over big end-of-year health package heat up in Congress

Dems opposing GOP push to repeal nursing home staffing requirements



By [Rachel Cohrs Zhang](#)

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Chief Washington Correspondent | STAT News

WASHINGTON — Negotiations over a large health care policy package are heating up this week as Congress hurtles toward a government funding deadline at the end of the month.

Congressional Republicans on Tuesday made an offer to Democrats that included a three-year extension of pandemic-era telehealth flexibilities in Medicare, some reforms in how pharmacy middlemen operate, a Medicare pay bump for doctors, funding for community health centers, and extensions of public health programs in Medicare and Medicaid, according to a copy obtained by STAT.

However, Republicans proposed paying for the policies with a full repeal of the Biden administration's controversial nursing home staffing rule, which sets minimum staffing requirements. Repealing the rule would have saved the federal government \$22 billion. Democrats are unwilling to repeal their own administration's policy, so the offer is a no-go, five sources familiar with the talks told STAT.

Negotiations are ongoing.

Telehealth flexibilities that allow Medicare patients much broader access to telehealth services from their homes and regardless of where they live are set to expire at the end of the year, and an extension of some kind has broad bipartisan support on Capitol Hill. The longer an extension is, the greater certainty lawmakers provide to patients reliant on virtual care,

and to the companies that have built their business models on expanded access.

Multiple committees in both chambers of Congress have passed versions of policies to rein in pharmacy benefit managers, and it's unclear which exact policies are in play. However, a policy that PBMs opposed made the cut in Republicans' proposal: a measure that would prohibit PBMs from linking their pay to list prices.

While Republicans didn't propose a policy that would equalize payment between hospital outpatient departments and physicians' offices for administering medications, the proposal did include a requirement that health systems create a separate identification number for each of their outpatient departments.

Physicians are facing the expiration of pandemic-era bonus payments of 2.8% in Medicare next year, and Republicans suggested retaining 2.5% of the bonuses.

Other policies Republicans proposed included a bill that would allow Medicare to cover additional cancer screenings, reauthorizations of laws to address pandemic preparedness and the opioid epidemic, and a hospital billing transparency measure passed by the House.

As control of the Senate will be flipping in January and key lawmakers will be retiring, this Congress may have an incentive to pass legislation that's in the works ahead of a tense fight over tax policy next year.