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Editor's note

This note is produced every Friday by the <u>KPMG Center for Healthcare</u> <u>Regulatory Insight</u> 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 <u>subscribe</u> 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.



Special Supplement: COVID-19 News

In light of the continuing daily volume of COVID-19 activity and news, we have summarized <u>COVID-19 news for the week in this special</u> supplement.





Healthcare regulatory news

CMS <u>extended the ACA special enrollment period</u> until August 15... <u>Georgia</u> and Arkansas <u>threatened to sue over CMS revoking</u> Medicaid work requirements.

FDA <u>approved Merck's Keytruda</u>, in combination with platinum/fluoropyrimidine-based chemotherapy, for treatment of esophageal/gastroesophageal carcinoma.

The VA is <u>reviewing</u> its \$16B Cerner EHR modernization program.





Healthcare law and policy news

The Senate <u>confirmed Vivek Murthy</u> as Surgeon General and <u>Rachel Levine as HHS Assistant Secretary for Health</u>... President Biden will <u>nominate Dawn O'Connell</u> as HHS Assistant Secretary for Preparedness and Response; HHS <u>announced several other appointments</u>... FDA Deputy Commissioner Amy Abernethy <u>will leave the agency</u> next month.

The Senate <u>passed legislation extending the Medicare sequestration</u> <u>moratorium</u> through 2021, which the House is expected to pass and President Biden is expected to sign... The Biden Administration is <u>developing a \$3T jobs/infrastructure recovery package</u>, likely to <u>include drug pricing reforms</u>... Senator Bernie Sanders <u>convened a HELP Committee hearing</u> on drug pricing.

The <u>Justice Department requested that the Supreme Court</u> give the federal government authority to continue testing future Medicaid demonstrations if the court takes up pending work requirement cases.

Blue Cross and Blue Shield of Michigan could pay \$100-125M to settle its portion of a Blues antitrust lawsuit (\$2.67B)... Boston Scientific will pay 48 states \$189M to settle deceptive marketing claims related to transvaginal surgical mesh products.

An AHA-commissioned study estimated that hospitals could lose \$53B in total revenue in 2021, even with increasing vaccine uptake and decreasing COVID-19 hospitalizations... A Health Affairs study found that public health spending declined from \$80.40 to \$75.83 per capita between 2008 and 2018... A JAMA study found 60% of opioids prescribed post-surgery go unused... An AHIP study found that electronic prior authorization can reduce provider burden and speed patient access to care.





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COVID-19 by the Numbers

There are now over 30 million confirmed COVID-19 cases in the US, with a <u>death toll over 545,000</u>... Confirmed COVID-19 infections <u>increased in 19 states over the past week</u>, while cases remained relatively stable nationwide relative to last week (53,000 cases/day).

NIAID Director Anthony Fauci said that COVID-19 <u>variants could make up 20 to 30 percent of infections</u> in the United States... CDC Director Rochelle Walensky expressed <u>concerns about "another avoidable surge" in cases</u> due to new variants if people do not wear masks and social distance.

133 million COVID-19 <u>vaccine doses have been administered</u> in the US (2.51M/day over the last week)... 87.3 million Americans (33.7% of Americans 18 and older and 71% of Americans 65 and older) have received at least one dose of a COVID-19 vaccine... An Evercore ISI analysis projected that the US <u>monthly output for the three authorized COVID-19 vaccines would reach 132 million for March</u>, up from 48 million in February.

Executive and Administrative Action

President Biden announced a <u>new goal of administering 200 million COVID-19 vaccine doses</u> within his first 100 days (April 11th).

The Biden Administration will commit nearly \$10 billion to combat inequity in vaccine coverage, including \$3B to promote vaccine confidence and \$6B to expand access for community health center workers and patients... The Administration plans to shift its COVID-19 testing strategy to focus on regularly screening millions of Americans at school or work, rather than just diagnosing individuals who suspect they are infected.

HHS OIG <u>reported on ongoing challenges</u> for hospitals resulting from the pandemic, with many continuing to operate in "survival mode."

HHS <u>removed 25 million out of 26 million isolation gowns</u> from the national medical stockpile in order to validate that they meet Level 2 protection.

Healthcare Regulatory News

FDA granted <u>breakthrough designation to a neurostimulation device</u> to help wean COVID-19 patients off of ventilators through strengthening their diaphragms... FDA authorized the <u>first machine-learning-based device</u> to help screen for COVID-19.

FDA indicated it may not require clinical trials for authorization of some updated COVID-19 vaccines.

BARDA issued <u>a request for information</u> to identify existing gaps in the pharmaceutical supply chain related to vaccine production.

Healthcare Law, Business, and Policy News

Traditional Medicare <u>spent \$10.3 billion on COVID-19 hospitalizations</u> for more than 447,000 beneficiaries in 2020, an average of \$23,000 per patient.

Two *New England Journal of Medicine* studies found that individuals fully vaccinated against COVID-19 very rarely contract the virus (<u>four out of 8,121</u> in one study and <u>seven out of 14,900</u> in the other).

The Rockefeller Foundation <u>released a blueprint for implementing</u> COVID-19 screening programs in schools.

DoorDash launched <u>an initiative to provide same-date on-demand delivery</u> of COVID-19 test collection kits from Vault and Everlywell.

A Duke analysis estimated that <u>12 billion doses of 13 different COVID-19 vaccines could become</u> <u>available</u> by the end of the year, enough to vaccinate 70% of the world, although serious barriers remain, including unpredictable manufacturing, emerging variants, and inequitable distribution.

Surveillance, Testing, and Treatment

More than <u>40 states plan to meet President Biden's goal</u> of making all Americans eligible for COVID-19 vaccines by May 1.

Phase 3 clinical trial data released early in the week found that the COVID-19 vaccine developed by AstraZeneca and University of Oxford was 79% effective at preventing symptomatic COVID-19 and 100% effective against severe disease or hospitalization; AstraZeneca will seek emergency use authorization for the vaccine... However, NIH stated that the Data and Safety Monitoring Board (DSMB) expressed concerns about the data used to calculate efficacy of the vaccine, some of which may be outdated, suggesting that efficacy could be closer to 69 to 75 percent... On Wednesday, AstraZeneca said revised data show the vaccine was 76% effective against symptomatic infection.

Johnson & Johnson will <u>likely not be able to meet its goal of delivering 20 million doses</u> of its COVID-19 vaccine to the US government by the end of March... FDA issued an emergency use authorization for a Catalent Pharma plant to produce and ship doses of Johnson & Johnson's COVID-19 vaccine.

An Israeli study found that the Pfizer-BioNTech COVID-19 vaccine is <u>less effective against the virus variant that began in South Africa</u>... Pfizer and BioNTech <u>launched a clinical to test their COVID-19 vaccine in children under 12</u>, with results not expected before the second half of the year.

An <u>American Journal of Obstetrics & Gynecology</u> preprint study concluded that the Pfizer-BioNTech and Moderna vaccines are safe and effective for pregnant women.

COVAX will set <u>aside 5% of COVID-19 vaccine doses</u> procured as a "buffer" to be used in humanitarian settings or in the case of severe outbreaks.

Late-stage trial data show that Regeneron Pharmaceuticals' monoclonal antibody therapy cut the risk of COVID-19 hospitalization or death by 70 percent and that it was just as effective at lower doses as at higher doses, prompting Regeneron to seek emergency use authorization for a lower dose than already authorized.

HHS will <u>stop distributing Eli Lilly's COVID-19 monoclonal antibody bamlanivimab as a single therapy</u> due to increased spread of COVID-19 variants that are resistant to the therapy.

GlaxoSmithKline and Vir Biotechnology <u>submitted an emergency use authorization</u> application to FDA for their monoclonal antibody therapy.

Zydus Cadila <u>cut the price of its generic version of remdesivir</u> by 70% to \$12 per injection.

Pfizer began a phase 1 trial of an experimental oral antiviral drug for COVID-19.