

May 28, 2021 | Issue 174

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 to our mailing list here</u>.

We welcome your feedback. Let us know if KPMG can help. Please <u>reply</u> <u>here to me</u>, **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 COVID-19 news for the week in this special supplement.





Healthcare regulatory news

CMS <u>proposed delaying by six months</u> part of a Medicaid drug pricing rule requiring drug manufacturers to <u>include co-pay assistance discounts in best price calculations</u>.

CMMI <u>will not extend the Next Generation ACO model</u>... CMMI's ambulance prior authorization model <u>reduced unnecessary ambulance use</u> 63% and spending 72%.

FDA reversed a Trump Administration effort to exempt some older drugs from agency review... FDA finalized guidance on pediatric study requirements for adult oncology drugs... FDA draft guidance documents detail safety monitoring processes for high-risk medical devices.

VA OIG reported that the department significantly underestimated the costs of its EHR revamp program... HHS OIG reported that Anthem received at least \$3.47M in 2015/2016 Medicare Advantage overpayments.

Department of Labor <u>began auditing employer-sponsored health plans in</u> April to ensure compliance with mental health parity requirements.





Healthcare law and policy news

President Biden will <u>propose a \$6T budget today</u>... The Senate <u>confirmed</u> (55-44) Chiquita Brooks-LaSure as CMS Administrator.

A <u>district court denied AstraZeneca's request</u> to postpone manufacturers' requirement to provide 340B prices to contract pharmacies... A federal judge <u>dismissed a proposed prescription drug pricing class-action suit</u> against Cigna due to disparate language across plan contracts... Seven insurers sued CVS for allegedly overcharging for generic drugs.

KPMG, EBG, and FP reported 207 healthcare and life sciences deals in April... lodine Software acquired Artifact Health... CVS launched a clinical trials services business... Humana will partner with NowPow to address social determinants of health... Google and Morehouse School of Medicine launched a Health Equity Tracker... Google and HCA Healthcare will codevelop algorithms to improve efficiency, patient monitoring, and provider decision-making... Amazon may open physical pharmacies in Whole Foods locations.

Kaufman Hall reported that hospital <u>patient volumes were down slightly in April</u> compared to March... Athenahealth <u>reported on mental health diagnosis disparities</u>, including that white patients were significantly more likely than Asian patients to be diagnosed with anxiety (7.2% vs. 2.2%) and depression (4.7% vs. 1.5%)... Urban Institute <u>reported that 2021 ACA premiums fell</u> for the third consecutive year and that more insurer competition and the presence of a Medicaid insurer were associated with lower premiums.

70% of House Democrats urged President Biden to lower the Medicare eligibility age in his American Families Plan.





Questions or comments, please send to ushcinsight@kpmg.com.

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COVID-19 by the Numbers

There are now over 33.2 million confirmed COVID-19 cases in the US, with a <u>death toll of over 590,000</u>... There were roughly <u>24,000 COVID-19 cases/day over the past week</u>, down 20% from the week before; cases have fallen every week since mid-April... As of May 1, the latest date with complete data, there were <u>50 weekly cases per 100,000 for white Americans</u>, compared to 69 and 74 cases per 100,000 for Hispanic and Black Americans, respectively.

291 million COVID-19 <u>vaccine doses have been administered</u> in the US (1.62M/day over the past week)... 165.7 million Americans (62% of Americans 18 and older and 85.5% of Americans 65 and older) have received at least one dose of a COVID-19 vaccine; 133 million Americans are fully vaccinated (47.4% of Americans 12 and older)... CDC reported that <u>only 10,262 of 101 million Americans (0.01%) fully vaccinated against COVID-19</u> by the end of April had a "breakthrough" infection.

A CDC <u>study concluded that COVID-19 testing</u> at schools can be used to safely continue in-person teaching and extracurricular activities.

Executive and Administrative Action

Following Wall Street Journal reporting that three researchers at Wuhan Institute of Virology in China sought hospital care in November 2019 around the time of COVID-19's emergence, HHS Secretary Xavier Becerra called for a closer examination of the virus' origin, including whether it escaped the lab, and President Biden ordered the intelligence community to spend the next three months probing the question.

HHS dedicated \$4.8B in *American Rescue Plan* funding to support HRSA's COVID-19 program to reimburse providers for testing uninsured individuals.

The Justice Department <u>charged fourteen defendants with healthcare fraud schemes</u> exploiting the pandemic that led to \$143 billion in false billing.

HHS has <u>contracted with Global Health Investment Corp.</u> to develop technologies and medical countermeasures for long-term pandemic preparedness.

Healthcare Regulatory News

OSHA said that employers are no required to record employees' <u>adverse reactions to COVID-19</u> vaccines.

FDA indicated that it will <u>decline to review additional COVID-19 vaccine emergency use authorization</u> (EUA) requests if it is unable to verify vaccine quality, determine whether production facilities are meeting standards, evaluate trials for the vaccine, or assess the integrity of trial data; FDA will also prioritize among requests and focus on manufacturers already in communication with the agency about EUA submissions.

Healthcare Law, Business, and Policy News

States Project surveys found that 62% of respondents somewhat or strongly <u>support local, state, or federal governments requiring everyone to get a vaccine</u>; 67% support mandatory vaccination to get on an airplane... An Axios/Ipsos survey found that 69% of respondents believe CDC guidance on mask use <u>was at least "somewhat clear;"</u> Americans are significantly more likely to trust family and friends (88%) and coworkers (71%) to be honest about vaccination status than other people at restaurants (25%), outdoor sporting events or concerts (25%), or the airport (24%).

A <u>JAMA</u> study found that 68% of hospitalized <u>COVID-19</u> patients were receiving dexamethasone by December 31, up from only 4% before May.

Two studies suggest that <u>immunity to coronaviruses could last at least a year and possibly a lifetime</u>, suggesting that those who recovered from COVID-19 and got vaccinated won't need boosters... A Labcorp study found that <u>nearly 87% of people infected by COVID-19 maintained antibodies</u> for a minimum of 10 months.

Surveillance, Testing, and Treatment

FDA <u>granted emergency use authorization</u> to a monoclonal antibody (mAb) treatment <u>developed by GlaxoSmithKline and Vir Biotechnology</u>, now the third mAb authorized for use in patients at high risk of developing severe COVID-19.

Moderna reported that its <u>COVID-19 vaccine was 100% effective after two doses</u> against symptomatic COVID-19 infection in children 12 to 17 years old; Moderna will seek emergency use authorization for use of the vaccine in the age group... Moderna will <u>collaborate with the South Korean</u> government on future messenger RNA vaccine research and development, including the possibility of manufacturing in South Korea.

CDC is <u>increasing research and surveillance of the highly transmissible COVID-19 variant</u> first identified in India; meanwhile, a Public Health England study found that <u>vaccines from Pfizer-BioNTech and AstraZeneca were 88% and 60% effective</u>, respectively, against the Indian variant.

Pfizer is <u>testing the safety</u> of giving patients 65 and older a pneumonia vaccine along with their COVID-19 booster.

FDA and Johnson & Johnson (J&J) are expected to soon announce that <u>contamination problems at the Emergent BioSolutions production facility are resolved</u>, allowing up to 60 million COVID-19 vaccine doses to be cleared for use... German researchers said that blood clots in some individuals receiving the J&J and AstraZeneca vaccines may have <u>resulted from adenovirus vectors (used to deliver vaccine material) sending some material to the nucleus of cells</u>, resulting in "misreading" of instructions to produce virus proteins.

Sanofi and GlaxoSmithKline initiated a phase 3 trial for their COVID-19 vaccine candidate.

CDC is <u>investigating several dozen reports</u> of teenagers and young adults experiencing heart problems, such as <u>myocarditis</u>, <u>after receiving a COVID-19 vaccine</u>, most often after a second dose.

The Coalition for Epidemic Preparedness <u>will provide \$7.1 million in new funding</u> to expand a University of Oxford study examining the efficacy of a mixed vaccine regimen consisting of Moderna and Novavax's COVID-19 vaccines.

President Biden said that the US could <u>produce up to 1 billion additional COVID-19 vaccine doses</u> by as early as year-end... WHO called for a <u>"massive push" to vaccinate at least 10% of every country's population</u> by September.